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SUMMARY OF NEWS.

—65—

Politics of Europe.

Spain.—It is curious and not uninteresting to observe the tone which has been of late adopted by the Ultra party towards Spain. We say of late, not that their feelings with regard to the Spanish regenerators have not been all along the same, but because the expression of them has become more open and loud since circumstances have made the impossibility of putting them into action something less. We trust that that impossibility is now again as great as ever; but a short time back the Ultras had, or affected to have, a hope that a crusade would be undertaken in favor of what they so emphatically term "the monarchical principle." We do not loosely use the word crusade as a metaphor;—we think there would really be a strong resemblance between those insane atrocities of "the good old time" and a French invasion of Spain at this moment. The crusades were undertaken at the instigation of a despotic priest, for the security of his own power;—they sent crowds of men to invade a country with which they possessed no more right of interference than we have with the Georgium Sidus—and to cut the throats of the inhabitants for not quietly resigning their right to their own possessions;—and all this, let it be noted, was done "for the love of God," with Virtue and Religion as the watchwords,—and to have shared in which was the highest possible boast of a Warrior and a Christian. Now what would be the invasion of Spain? Would it not, like the crusades, be the war of priestcraft and arbitrary power against civil and religious liberty?—would it not, like the crusades, be an interference with the internal rights of a country as grossly and imprudently unjust as ever even Legitimate brass attempted?—would not its perpetrators, like the crusaders, assume glory to themselves for what they did, and perpetrate this deed of devilishness in the name of God?—and lastly, would it not, like the crusades, end in discomfiture, failure and disgrace?

We shall say a few words in support of each of these positions. That the invasion of Spain by an Ultra army, for the re-establishment of the old order of things, would be the war of priestcraft and arbitrary power against civil and religious liberty, needs, we think, but little proof. It may be said, that in Spain little religious liberty exists;—it is true; but little is needed. The dissenters from the established religion are so few, that the want of toleration is scarcely, if at all, felt,—and it is not in this sense that, with regard to Spain, we speak of religious freedom. We mean that Spain has lately been freed from the thralldom and oppression of its immense Monkish Establishments—that its fields have been delivered from these locusts which, as in the plague of old, devoured and destroyed their fruitfulness;—we mean that Spain has been rescued from the horrors of the Inquisition—"things that to hear them told have made us tremble"—we mean that the Revolution has put an end to these, and that "the Army of the Faith" would restore them. The Army of the Faith! Gracious Heaven, of what faith! The Christian faith?—Does the Christian faith inculcate a system of terror, torture, and blood-guiltiness?—is the Christian faith evinced by the *san-benito*, the faggot, and the stake? The Church has been despoiled, say these faith-holders,—shall we not struggle to restore to her her own? Yes, the Church has been despoiled, but of what?—of that overgrown and ungodly wealth which fed its abominations and destroyed its purity—which converted sanctity in-

to the mask of license and of lewdness—which made the cell of the Christian priest like the tub of the Pagan philosopher, in outward shew the dwelling of wisdom and virtue, but in inward truth the receptacle of sin and of uncleanness—which reduced the servant of God to be a slave to Mammon—which made "the house of prayer a den of thieves." This has been taken from the Church, and is it this that the "Faithful" would restore? The true pastors of the Christian creed, those who dwell among their flocks, and give comfort, assistance, and example; as well as precept—these men have profited by the extinction of their unworthy brethren; when the drones were driven from the hive, there was more honey for the bees. The *Curés*, that is, the parochial clergy, have been placed on that footing of comfort and respectability which they so well merit, and which was before unknown to them, the Behemoth Monasteries swallow ing all. These are the changes which the Revolution has effected in the Spanish Church—are they those of infidels and destroyers?

But it is not to be supposed that the Monkish hordes would submit to be quietly rooted out. Of themselves they are almost sufficient to make an "Army of the Faith;" and in truth; it is of themselves and their immediate adherents that it is chiefly composed. The objects of such a crew must needs be laudable, their purposes must indeed be holy! Is not this the war of priestcraft against religious liberty—might we not also say against religion?

That arbitrary power is also meant to be restored is, we think, still more apparent. "*El Rey neta*"—the King alone*—is the motto which they have chosen, the war-cry to which they rally. The King without a Cortes, without a responsibility, in short, the Ferdinand before 1820, who could dungeon and murder his deliverers at pleasure—is what they seek to restore. It has been said, that an absolute government would be the best possible, if a perfect being could be found in whom to vest it;—may it not, therefore, be thought that the utter worthlessness of the possessor of unlimited power would be an additional argument against it? Now, we believe, that if there be any point upon which nine hundred and ninety-nine men out of a thousand agree throughout Europe, it is in regarding Ferdinand the Seventh as the most utterly mean and despicable animal that ever defiled the Earth by grovelling on its surface. He began by betraying his father, by deposing him for deeds meritorious in comparison with those since done by himself. Having subsequently become the prisoner of Napoleon, he crouched before him like a beaten hound, and fawned the more at every stripe. It is well known that he sued humbly for the hand of a Princess of the Imperial House, who (no wonder!) spurned at the idea of being wedded to such a thing. His adulation extended so far as to write congratulatory letters to Joseph Bonaparte on every victory obtained over his, Joseph's rebellious subjects! that is, this Royal possessor of Bourbon blood and Castilian pride deigned to pen felicitations to the Usurper of his Throne on advantages gained over those brave hearts which were struggling to their last pulsation in his cause! Restored to Liberty and Power, this truckling slave became at once the blind and bloody tyrant. Imprison-

* Disputes have arisen concerning the fair translation of this phrase, which has usually been said to signify "the absolute king;"—we think that we have given above is as true a rendering of its spirit as is possible.

ment, exile, death, were the rewards which he showered in lavish plenty on those by whom he had himself been rescued from all three. Like the galley-slaves in the romance of his country, he was no sooner free than he turned on those who had delivered him. The six years which intervened between the Restoration of Ferdinand and the Revolution, need not be now recalled to view: the letters of blood in which those annals are written still glare in the eyes of the world. The names inscribed round the Hall of the Cortes are visible to all Europe.* These men and their fate can never be forgotten, and till they are, must Ferdinand remain in infamous pre-eminence among cowardly tyrants. And it is to this man that those who exclusively assume to themselves all goodness and religion would restore that power which no human being has yet been found capable of wielding innocently! It is this man of whose "sacred person" they rave, and to rescue whom from the hands of his "ruffian enemies" (those who have spared his life a dozen times) they would violate every national right, and crush every effort of natural freedom. And how is it that these "ruffian enemies" have acted towards him?—how have these "democrats" acted towards Royalty in their power and at their feet? Instead of chopping off his head, which his offences more than deserved, and his own example would more than have justified, they treated him with all respect as well as forbearance. They continued in his hands, stained as they were with the blood of the bravest and the best, the kingly power;—not, indeed, the power which he had so fearfully misused, but that with which it was deemed wise to entrust the Chief Magistrate. In despite of all his treachery, ferocity, and ingratitude, they gave amnesty and pardon for the past and trusted him again for the future. It seemed as if they obeyed the beautiful mandate of Mr. Shelley, addressed to them almost prophetically a few months before they regained their liberty:—

"Bind, bind every brow
With crowns of violets, ivy, and pine;
Hide the blood-stains now
With hues which sweet nature has made divine:
Green strength, azure hope, and eternity:
But let not the pansy among them be;
Ye were injured, and that means memory."

When, ye boasting exclusive arrogators of the Christian name, when did you ever shew this Christian spirit; the forgetting and forgiving of wrong? When did regal clemency ever equal this republican forbearance?

We now come to the question of the right of interference. For this at various periods various pretexts have been advanced. The Holy Alliance openly and unblushingly assert their right to do whatever they chuse in support of the Monarchical principle, that is, of arbitrary power; for it is to be remembered, that in none of the late attempts at Freedom, in Italy or the Peninsula, has a republican government being instituted; all that has been struggled for has been limited and Constitutional Monarchy; which yet, where the power has equalled the will, has been put down. The Monarchical principle is, in plain words, absolute dominion; and this the gentlemen now at Verona have determined to uphold, *coute que coute*. Remembering the Fable of the Lion and the Bulls, the members of this notable alliance have joined to gain increased power; the kine have united to oppose the lion of Popular Opinion; but, though foiled for a time, they may rest assured it will prevail at last. In pursuance of this confederacy, they have advanced doctrines of interference equally novel, mischievous, and unjust; so audaciously so indeed, as to necessitate a shew of dissent even from their staunch friend and well-wisher, our late Foreign Minister. They arrogate to themselves the right to meet and adjust—not the concerns of their respective countries—but those of independent and unrepresented nations. Like a committee of our House of Com-

mons, they assume a power "to send for persons and papers"—they discuss, judge, acquit, condemn, and then send forth their reports, in the shape of decrees, to the world. We can, in truth, conceive nothing much more monstrous than that the Sovereigns of Russia, Prussia, and Austria, should determine whether or not Naples, Spain, and Portugal, should have a Representative Government. The Congress at Verona is now discussing whether or not Spain shall be invaded to set up again "*El Rey neta*;" and we really regard it very much like discussing whether or not to commit robbery and murder. We do not use these words carelessly—we think the attempt would cause both. Every life that is taken away in an unjust quarrel is a murder; it matters not whether it be committed by one man or by ten thousand. As for robbery, we need but look at the march of any army to be assured that when a country sees foreign soldiers cross its frontier, it may know that it is delivered to rapine and devastation. But it would be robbery in a worse sense than this—it would be moral robbery; as slaying a man is robbing him of his life, so taking from him personal freedom and security, is the robbery of all which makes life of value.

Literary Notices: Dec. 7, 1822.—The following are the subjects discussed in the forthcoming Number of the Edinburgh Review: Simond's Switzerland—Vaccination and Small Pox—Brace-bridge Hall—Durham Case—Clerical Abuses—Mr. Canning and Reform—French Poetry—The Bishop of Peterborough and his Clergy—Wordsworth's Tour—Bishop of London's Charge—Partitions, &c. &c.

Sir William Gell has in the press, *A Narrative of a Tour through the Morea*, giving an account of the present state of that Peninsula and its inhabitants. In 1 vol. 8vo. illustrated by Plates and Wood-cuts.

The *Loves of the Angels*, and Benger's *Mary Queen of Scots*, are expected to appear about the 20th of the present month.

Those who scourge others, must expect the whip in turn. The announcement of a poem in the Beppo style is circulated, entitled *Falcato*, or the Neapolitan Libertine: said to be directed against the singular adventures and not admired conduct of a celebrated individual at present on the continent.

A Letter fallen from Heaven.—Innumerable copies of a letter, said to have fallen from Heaven, in which very strange events are predicted, are circulated in the villages of Dauphine. A circumstantial account is given of the last coming of our Saviour in the year 1830! But the strangest thing is, that it has the signatures of two respectable persons, a Vicar General and a Civil Officer, who attest the truth of this absurd composition. It is hoped, however, that the two signatures are forgeries.

Pun Legal.—A short time before the removal of the Irish Courts to their present splendid buildings, one of the walls of the old Court-house was in a very tottering condition. While a law argument was going on one day in full Court, this assumed so dangerous an appearance as to check the proceedings for a short time: during which a young Wag at the Bar addressed the Court, saying "My Lord, I move for an injunction to stay the proceedings of that wall."—"There is no need," (replied Curran)—*a temporary bar will be sufficient.*

An Irish lawyer pleading in an appeal case before Lord Loughborough in the House of Lords, quoted an opinion of his Lordship's when he sat in Common Pleas. "It was held so and so, (he observed) by an authority which every body must respect—my Lord Loughborough," sounding, as usual in Ireland the *gh* of *Lough* with a strong guttural. "I thank you for the compliment, Sir, (replied the Chancellor;) but you should call me *Luffborough*, for you know we always sound *gh* in English like a double *ff*."—"I am obliged to your Lordship, (said the Barrister) for the correction, and shall proceed with my argument. The three *pluffs* (ploughs) in question—"—"Ah, (cried the Chancellor) I see there is no rule without an exception—Go on, Sir."

* The ornaments of the Walls of the Hall of the Cortes consist of square sepulchral-looking stones, on which are graven the names of Velarde, Porlier, Lacy, and others, who prematurely fell in the cause which has since triumphed.

South America.

The *MERCURIE DE CHILI* of the 2d of December (which we received by the *STANMORE*), says:—"The following discourse of an Ecclesiastic as sensible as he is pious, appears to us worthy of the circumstances, (which occasioned it). Compassionating the melancholy into which he saw the people plunged after the earthquake on the night of the 19th, he read it to his friends exhorting them to diffuse consolation among the pusillanimous, and prevent that despair which is so fatal especially to the weaker sex, and which may degenerate into impiety in the very midst of fear more irrational than religious. The translation which follows is partly from the *INDIA GAZETTE* :—

REFLECTIONS ON THE EARTHQUAKE.

Misericordiae domini quia non sumus consumpti.—JEREMIAS.

What terror is this, my countrymen, which even yet so entirely possesses your breasts? Is the triumph of Fear over Reason so complete, that domineering over the abasement of your spirit, panic alone fills your souls, without leaving one moment to reflection, or any other sentiment in your hearts than the bitterness that oppresses you? Religion, society, even convenience, tell you, that it is now time to raise your heads, to lift up your eyes to heaven with gratitude, to console yourselves, and lay aside such affliction.

The great Earthquake of the night of the 19th, has so panick struck the minds of the people, that each one carries in his countenance the sorrowful reflection of that terror, which in that fatal moment spread on every side shrieks and lamentation. It would appear that for a moment so dreadful the Poet had anticipated that description of

Cradelis ubique

Luctus, ubique pavor, et plurima mortis imago.

Nothing is more natural than so strong an impression in a danger so imminent to life. Instinct alone is sufficient to manifest the danger of losing it, and the clamour of irrational beings shews us the influence of the laws of self-preservation, common and necessary to all creatures. In those who think, this sentiment is unfortunately increased by the communication of the evils and ruins of our fellows. Religion and humanity make equally their effects—all conduce us to think that Man is in these dire catastrophes the object of the fury of earth and heaven, altho' we see the immutable system of the Omnipotent proving to us his benevolence and unalterable glory.

Religion—that beauteous daughter of a paternal God—holds as the sweetest and most important of her attributes, the bestowal of the consolation of her favors in the midst of the crosses of life. She is not the scourge of a terrible God; and whoever searches the pages of sacred history, will observe that when he has wished to revenge the vices of miserable mortals, he has always announced it, to warn them of their punishment. If it was determined against the famous Tyre, he announced it by Ezekiel :—

"And they shall make a spoil of thy riches, and make a prey of thy merchandize: and they shall break down thy walls, and destroy thy pleasant houses; and they shall lay thy stones and thy timber, and thy dust in the midst of the water.

"And I will cause the noise of thy songs to cease, and the sound of the harps shall be no more heard.

"Shall not the Isles shake at the sound of thy fall—And the Princes of the sea shall tremble, and shall be astonished at thee, and shall exclaim—How art thou destroyed, how is the renowned city fallen."

If the Lord was provoked against Nineveh, and the cities of Pen-tapolis, he warned them of the stroke that hung over them, and before he threw abroad his anger against those who idolised Belphezer, he drew the decree of their repentance, and the zeal of a Phineas prevented the total destruction of the sacrilegious. The Most High never deigned a surprise that would make him appear to his creatures as a malignant genius, that would enjoy the annihilation of his own work, taking advantage of its defencelessness.

He leaves at liberty the course of natural causes, and these examples of his divine economy persuade us that he loves Chili, and the Earthquake of the 19th, has not been the effect of his anger, but of that permissive will that does not suspend the action of the elements, which is the physical cause of these portentous phenomena. If the all powerful had intended them to be our annihilation, how is it he did not cite us with the intimation of our sentence—what he did not refuse to notify to the people, the most perverse in the times of the written Law. The unforeseenness of this great event is the barometer of our consolation, as likewise the sight of so much danger is a dumb but eloquent notice of the dangers which surround unfortunately mortality—that by doing our duties, the serenity of a sound conscience may tranquillise our hearts, and remind us of the conformity that religion and necessity itself requires, and begins already to disperse this agitating terror that makes us forget even mere domestic attentions, and appears to

place us on the borders of desperation. Desperation is not the fruit of virtue, nor is a turbulent fear, occasioned only by an excessive love of life the best sacrifice that can be offered to the God of Peace—to that God who looking down from his high place upon our affliction; made the tremendous commotion of the earth to cease, and verified the prognostication of the Psalmist—*Pacuit et cessabit quassatio.*

In truth the sacred fear of God is that fear which trembles at displeasing the sacred person—a mild and salutary fear, which makes us search his wishes to fulfil them, and to flee from the merest trifles that may displease him. A fear of another kind is the fear which one conceives at an irresistible traitor that every time he visits brings concealed the poignard with which I know not but he will pierce my heart. Fear may make me prostrate myself in his presence. I will join my hands to implore his pity; I will strike in pieces my breast if I conceive that he will not be appeased but by blows and contusions on my frail body, or do whatever imagination may suggest to search out and show him the blood he requires; and will think demonstrations be a proof of my love? No, my heart would be sighing that such a terrible being might cease to be, in whom I see only the object of my destruction. Oh good God! ineffably good—never will the eyes of religion present me thy justice otherwise than united with thy goodness, and I will think always with St. Laurence, *Justimano*—that *justitia sine misericordia non est justitia sed crudelitas* I see nothing in the Divinity but what is worthy of imitation. Punishment is no longer legal on taking the character of vengeance; and when my thoughts dare to elevate themselves so much as to fancy the perfection of the Supreme Being, I do not form to myself his image with the idea of a being, melancholy, proud, choleric and violent, but I will unite whatever is amiable and beautiful in the universe, and this will be the most brilliant mirror where my soul may venerate the adorable traces of the original, unknown and impenetrable to the insufficiency of mortals. I will always bless myself in the goodness of what God whom the prophet represents (when he implores Him to chastise the world) as reprehending him and warning him from tempting his justice again. Why should the Lord have wished to discharge it on the towers of his own temples. The Earthquake that so unforeseenly overtook us on the night of the 19th, and that has caused so many disasters, has observed the regular order with which these revolutions of the terrestrial globe occur.

In Peru it is observed that they are repeated every sixty years; in Chili every 90 and almost exactly that number of years have passed since the fatal earthquake of 1730. There are few who are ignorant of the physical causes of this effect, as portentous as it is natural, and which has produced the most horrible calamities all over the earth. They are experienced with greater frequency in the Meridional regions, although Norway which is more northern, according to Gmelin, has an annual and periodical shock. There is scarcely a quarter of the globe but what has been the theatre of most dreadful earthquakes. Pliny tells us that during the Consulate of Lucius Marcia and of Sextus Julius, two mountains of the territory of Modena met or struck together, overwhelming the edifices, &c. of the intermediate vallies. In the reign of Tiberius thirteen considerable cities of Asia were demolished, burying in their ruins innumerable victims. The celebrated Antioch suffered the same misfortune in the year 115—the Consul Perdon perishing there; and the Emperor Trajan escaping with difficulty. In 740 an universal earthquake in Egypt and all the East buried in one night upwards of 600 cities; and some conjecture that Great Britain was by some convulsion of nature separated from the continent of Europe, and Sicily from the rest of Italy. It is even conjectured that the Mediterranean is a vast depot opened by subterraneous fires, and which still exercise upon it all their fury;—and some Philosophers even say that the Atlantic ocean derived this name from that of the vast Island which it submerged, and that tradition placed between Africa and America, leaving the Cape de Verdes, the Canaries and Azores as relics of the tremendous revolution that blotted out this country from the face of the earth.

From the Andes to Japan, from Iceland to the Moluccas, the bowels of the globe are perpetually torn by fires that work without ceasing and with more or less violence. Causes so powerful must necessarily produce effects that influence the whole mass of the earth: in time perhaps the centre of its gravity changes, leaving a space in some of its parts to ingulph others, and finally contribute, that nature may run the circle of her revolutions. Will then the fury of the elements respect the frail miserable works of man, at the moment that they are rending and destroying the solid base that serves them for a foundation. Ah! let us raise our hearts filled with gratitude to the Lord who has preserved us from so much ruin, and do not let us look upon him as the barbarous God of the Brahmins, who calms his vengeance only with the destruction of his miserable sectaries sacrificed by their own hands. We will be convinced that nature will not interrupt her course nor hesitate to disturb the earth at those epochs in which by the order of its law and construction the causal matter of earthquakes becomes disposed for a convulsion.

In effect the fermentation of the combustibles that inflame the interior of the earth,—the air shut up in it expanded by its fires, that makes violent

efforts to escape,—the water reduced to steam, and which raises with prodigious force whatever opposes its expansion,—these are agents which originate the Earthquake, and not the mere pleasure of a God who fixes a certain number of years to rise up in rage like foolish man, and please himself with seeing those who may have escaped being torn to pieces by the earthquake, destroy their own flesh.* The cause, then, of these convulsions arises from inflammation of combustible matter or electric fire—at least in those which in one moment are felt at immense distances, (as in that of 1755, which in one instant was felt in Europe and America.) That of the night of the 19th has been to us a proof of the mercy of God in distinguishing and saving the capital of Chili, which happily has not participated in the terrible ruins that surround it, and from which it is almost a prodigy that we have been saved. *Misericordia Domini quia non sumus Consumpti.*

May the fruit of these observations be, that we may attend to the voice of affliction of our brothers, and dispose ourselves to succour the misery to which this fatal catastrophe may have reduced them. Let us do unto them what in such case we should wish for ourselves. Their misfortune is too touching for us to lend a deaf ear to the cry of humanity. This claims our aid more than the rebuilding of a temple. Under the shade of a tree the True God may be adored with the same respect on our part, and with more complaisance on his, than beneath the most sumptuous roofs or in the midst of magnificent altars to whose horns he would regard with horror the approach of those who to replace a pomé the Divinity wants not, had shut the hard to the indigent, preferring the sacrifice of fanaticism.

Man is the living temple of God; Nature is his theatre. The Lord our God is to be adored in all his works. Let us sing his mercies.

Meteorological Observations.

MADE DURING THE EARTHQUAKES IN CHILI.

Date.	Hours.	Minutes.	Time.	Barometer.	Thermometer.	Appearances, &c.
Nov. 19	10	54	Night..	28.23	70	Serene—great shock for 2' 30"
20	3	6	Morning	28.23	68	{ Serene—a second shock less violent from 5" to 6"
20	3	32	Morning	28.2	68	{ Wind—a third shock less violent from 3" to 4"
20	10	0	Morning	28.2	70	A breeze—clear.
20	10	0	Night..	28.2	73	Serene—a calm.
20	12	0	Night..	28.2	71	Serene—a calm.
21	7	36	Morning	28.2	70	{ Serene—fourth shock (slight) from 3" to 4"
21	10	0	Morning	28.2	75	Serene—calm.
21	5	0	Evening	28.2	75	Serene—calm.
21	9	0	Night..	28.2	72	Serene—calm.
21	12	0	Night..	28.1	70	Clear—gentle breeze—fresh.
22	4	14	Morning	28.2	67	{ Serene—fifth shock (rather strong) from 3" to 4"
22	4	16	Morning	28.2	67	{ Serene—sixth shock (stronger) from 3" to 4"
22	7	54	Morning	28.1	70	{ Serene—seventh shock (slight) from 3" to 4"
22	5	0	Evening	28.2	73	Serene—somewhat fresh.
22	10	55	Night..	28.2	69	{ Serene—eighth shock (slight, abrupt).
23	4	13	Morning	28.2	69	{ Cloudy—ninth shock (slight, abrupt).
23	8	0	Morning	28.1	67	Drizzling—calm.
23	8	53	Morning	28.1	67	{ Cloudy—tenth shock gentle and abrupt.
23	5	14	Evening	28.1	69	{ Cloudy—eleventh shock gentle and abrupt.
23	10	0	Night..	28.2	67	Cloudy—airy.
24	8	22	Morning	28.3	67	{ Cloudy—12th shock (slight) from 4" to 5"
24	5	0	Evening	28.3	69	Light driving clouds—airy.
25	8	42	Morning	28.3	66	{ Cloudy—13th shock (slight) from 4" to 5"
25	5	0	Evening	28.2	70	Cloudy—breezy.
25	10	0	Night..	28.2	68	Cloudy—fresh.
26	10	0	Morning	28.2	72	Cloudy—fresh.
26	5	0	Evening	28.2	72	Cloudy—fresh.
26	10	0	Night..	28.2	68	Cloudy—fresh.
27	10	0	Morning	28.2	69	Cloudy—fresh.
27	10	0	Night..	28.2	69	Rain.

* Perhaps alluding to the severities of the Catholics when doing penance to avert a calamity.

REMARKS.

1st. The Barometer is English, and the scale of inches and lines corresponds to the French, with six, and six decimal places of increase to it. The miserable state of the Press (says the South American Editor) unprovided with fractional characters, has not permitted us to note the minute variations of the Barometer.

2d. The Thermometer is according to Fahrenheit, having a degree of its scale four ninths of that of Reaumur, and a degree of this two and one fourth of that, this commencing with the congelation at zero, and that placing it at the 32d degree.

3d. The shocks noted are those most sensible after the great one, in duration and force; the more slight ones being omitted, and the vibrations which took place in consequence of the first, exceeding to my conception a hundred and fifty.

4th. The hours are determined by the apparent time with exactness, and correction of the equation respectively to that and the days: the duration of the shocks cannot differ (when it does at all) from that assigned except by a very few seconds of time.

Santiago, November 27, 1823.

South America.—A number of Public Establishments had been formed at Santiago for the education of youth and Government had given instructions to have the Lancasterian plan adopted throughout the Country, which was also liberally supported by private individuals.

Letters from Lima, and other places had been received, stating the many unjust acts committed by the Royal Spanish Troops, who had plundered indiscriminately and set fire to, several villages thro' which they passed, not even sparing the places of divine worship, some of which were divested of their most valuable and sacred ornaments; a number of remonstrances to prevent similar atrocities were made by the Ministers of Religion to the Royal Chiefs. One of the writers of these Letters hopes for the future, that those Military Chiefs will confine their operations solely against the property, and Lives of the Americans which is quite sufficient. This barbarous conduct has tended a good deal to kindle the fire of hatred, and discord amongst the Natives of the two Hemispheres.

On the 16th August, a fleet of 12 Transports under convoy of the Chilean Frigate PROTECTOR, and Sloop of War LIMENA, commanded by Vice Admiral Don Manuel Blanco Ciceron, sailed from the Port of Santiago; their destination is not mentioned; but the Editor of the MINISTRIAL GAZETTE, remarks "that much good will result from this expedition, and great praise is due to the wisdom of Government for having overcome numberless difficulties, and in managing so well the equipment of this maritime Force in spite of the low state of finances, which in every respect are most inadequate for the accomplishment of the great objects Government has in view, the result of which will form the happiness of the Friends of Liberty, and Peace; and prove dreadful to those possessed of opposite sentiments."

The Vice Roy D. Jose de La Serna has issued a Decree dated at Cusco the 20th January 1822, by which all foreign goods at present in Towns, or Villages occupied by the Chilean Government are liable to be seized by the Royal Authorities, which may take possession of such places, who are to dispose of them on Account of Government; orders to this effect have been transmitted to all the Royal Military Chiefs.

Official Accounts had been received from Quito in the Republic of Columbia, stating the final defeat of all the Royal Forces, which had restored peace and completely established the Independence of that part of the Country; the 25th of May has been fixed for the annual celebration of this great event. The Editor of the Quito Paper remarks, "that this successful struggle has entirely smitten the Power of Spain over the American Continent, and none but the unfortunate Inhabitants of Upper Peru are at present under that execrable dominion; which it appears is not yet satisfied with the torrent of innocent blood of America, which has been shed to put a stop to their horrid deeds, and which loudly cries for vengeance."

The Anniversary of the Independence of Peru was celebrated at Lima with the greatest demonstrations of joy. The Government after expressing their thanks for the heroic conduct of the people, whose right it was their pride to administer, and giving way to those feelings suggested by the cause of Liberty assigned the following premiums, thro' the Supreme Delegate, to be distributed in the Capital Towns of the different Departments to those whose services have in any way been conspicuous. Three Civic Gold Medals, and 20 prizes from 65 to 500 dollars were to have been distributed in the Metropolis, and half the amount of these prizes in the principal Towns of the other Departments. To these, every class of Citizens of both Sexes, who may have distinguished themselves by Literature in publishing useful knowledge, or in any manner by which the Country has been benefited, are entitled.

SURGICAL CASE.

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Extraordinary Surgical Case.

The following extraordinary case, obtained from a private source, was sent us for publication sometime ago, but its insertion was delayed because we had some thoughts of illustrating it by a Cut. The statement however appearing to be perfectly intelligible without any such aid, we now lay it before our readers, of whose attention it is well worthy, as one the most wonderful recoveries that have been recorded in the annals of Surgical science; and the circumstance of its being so fully authenticated, cannot but recommend it to the notice of Members of the Faculty.

An Account of a Case of Recovery, after an Extraordinary Accident, by which the Shaft of a Chaise had been forced through the Thorax. — By William Maiden, Member of the Royal College of Surgeons, in London.

CASE.

*MR. TITTLE'S OWN STATEMENT OF THE ACCIDENT.

A Narrative of the particular Circumstance, relating to an Extraordinary Accident which befel me on Saturday the thirteenth day of June last.

I returned from town on the evening of that day, about nine o'clock to the house of my friend, Mr. John Overton, at Forest-Gate, near Stratford, in his single horse chaise; Mr. Overton, being an invalid, was gone to bed, and the groom absent; I incautiously took off the bridle, as the first step towards disengaging the horse from the chaise and harness; the horse immediately became unruly, and, apprehending he would break the chaise, I endeavoured to secure him by taking hold of his foreleg, in order to replace the bridle; whilst thus occupied, the horse made a violent plunge, and thrust me, by the end of the off shaft, against that part of the chaise-house which projects from the clump of oat burlings, on the right side the yard, directing his course towards the stable door, in front. At this instant, I felt the end of the shaft perforate my side, under the left arm; whereupon I made a violent effort to draw myself back, while the horse kept plunging forward, and I soon felt the end of the shaft pass from under my right arm, occasioning acute pain. Alarmed at my perilous situation, I cried aloud for assistance, and the horse continuing to press forward, occasioned further violence on the left side, producing, as it afterwards appeared, a second wound, inflicted by the fronting hook under the shaft. At this time, Mr. Lawrence and his two sons were passing, and hearing the out-cry, ran into the yard; they quickly put the horse back, and rendered me every assistance in their power. At this awful period, the end of the shaft was presented to my view, which had been forced through the boarding of the chaise-house, and projected several inches beyond my right side. Previously to withdrawing the shaft, by which I was empyed, I placed my hand on the projecting part, to draw myself off, in which I was assisted by Mr. Henry Lawrence; so soon as I was released, I respired with some force, two or three times, and found no alteration in my breathing, and no part of my body appeared under the slightest agitation. I then went into the house, pulled off my waistcoat, and looking at the wounds, wished to have seen them bleed more freely; after that, I walked up stairs with a steady step, and when arrived at the first floor, Mrs. Overton requested me to stop; but recollecting, that the room I slept in before, on the second floor, looked towards the east, I proceeded to it, as being more airy, and free from the annoyance of the afternoon sun. On entering the room, I seated myself on a chair, and Mr. Henry Lawrence offering to undress me, I consented, as I conceived any exertion liable to promote the inward bleeding I expected would ensue. When I was nearly undressed; for the first time I felt a faintness come over me, and immediately after, the blood trickling on my lungs, attended with extreme difficulty of breathing. I then got into bed, where I continued, in a sitting posture, till Mr. Maiden arrived, who in a few minutes took a considerable quantity of blood from my right arm, which very soon relieved the dreadful pressure I had experienced in my breathing.

I have no doubt, that my endeavours to recede, when the shaft was entering my left side, gave the end its direction towards my breast, by which it was inwardly bruised; and caused such an uneasy sensation for several days, that I was apprehensive the bone was broken, and in fact, at this time, it remains sore.

* Mr. Tittle resides at 31, Hoxton Town.

† It was a most fortunate occurrence for Mr. Tittle that the Messrs. Lawrance, who are respectable Farriers, should be passing; as few persons could have been so competent to the management of the horse, in such an unruly state.

‡ Before attempting to unharness the horse, &c. Mr. Tittle had taken off his coat.

I have at times, within the last three or four days, been conscious of a sensation, near the breast bone, but more particularly on the left side, which, when I breathe, gives me the idea of confinement thereabouts, like the grasping of an hand.

I further recollect, that after I was extricated from the shaft of the chaise, I told Mr. Henry Lawrence, I hoped my vitals had escaped uninjured.

Forest-Gate, July 12, 1812:

THOMAS TITTLE.

ESSEX.—The foregoing Narrative was subscribed and verified, upon the oath of the above-mentioned Thomas Tittle, before Us, the undersigned Justices of the Peace, acting in and for the County of Essex, this 18th day of July, 1812.

WM. MANBEY, WM. DYER, JOHN M. HENNIKER,
WM. TOLBUT, ROBERT WILSON.

The following Question: were propounded to Mr. Tittle, by Us, with the answer: Answers he made thereto, subsequently to his being sworn, 18th July, 1812.

Q. At the time of the accident, can you recollect to have felt any pain in your back?

A. Certainly not.

Q. Have you at any time during the confinement from this Accident, felt any pain or soreness in your back?

A. Not any.

Q. Have you since the accident found any difficulty in moving your arms?

A. A trifling stiffness across the breast, since the wounds have been in a healing state.

WM. MANBEY, WM. DYER, JOHN M. HENNIKER,
WM. TOLBUT, ROBERT WILSON.

The Relation of Mr. Edward Lawrence, and Mr. Henry Lawrence, of a most dreadful Scene, which they beheld on Saturday evening, the thirteenth of June last.

Mr. Edward Lawrence says, I was passing Mr. Overton's house, about nine o'clock, when I heard a crying out, and Mr. Overton calling for my Assistance, from his bed-room window: I went into the yard, and found Mr. Tittle standing by the side of the horse, which was then in the shafts of the chaise, without a bridle. Mr. Tittle appeared to me, to be confined in some way by the shaft, but in what manner, I could not then discover, but I conjectured it must have been, by the shaft passing through the front of his cloaths; I immediately twined the horse by the ear and nose, and put him back, for the purpose of extricating Mr. Tittle; in so doing, I discovered that the end of the shaft, which had confined Mr. Tittle, had also entered the weather-boarding of the chaise-house, and passed through it. At this period, my brother Henry Lawrence came to us, we then discovered to our great astonishment, that Mr. Tittle was pierced through the body by the shaft of the chaise, and apparently standing on tip toe, with both arms extended.

Mr. Henry Lawrence says, I was not present at first, but soon came up: I discovered that the shaft had passed through the body of Mr. Tittle, and was still remaining in it and the end projecting several inches beyond the trunk of the body; and upon making an effort to release Mr. Tittle, he cried, Oh! which induced me to desist; and upon inspecting more minutely, it appeared that he was also in some degree suspended by the shaft; I then repeated my effort, and endeavoured to lift, and, at the same time, gently to push him from me; in this I succeeded. So soon as Mr. Tittle was extricated, he waked into Mr. Overton's house, and proceeded up two pair of stairs to one of the chambers; I followed him closely, and assisted in undressing and putting him to bed.

During the time I was with him he observed to me, that he thought, notwithstanding it was a most dreadful accident, his vitals had escaped uninjured.

EDWARD LAWRENCE, { Forest Gate, West Ham, Essex.
HENRY LAWRENCE, }

Verified, by the above mentioned Edward Lawrence and Henry Lawrence, upon oath before Us, the undersigned Justices of the Peace, acting in and for the county of Essex, the 18th day of July, 1812

WM. MANBEY, WM. DYER, JOHN M. HENNIKER,
WM. TOLBUT, ROBERT WILSON,

Letter relating to the Account of the Case of Mr. Tittle, from Sir William Blizard to Mr. Maiden

I have considered your Narrative of the Case of Mr. Tittle. The Occurrences in it, which happened within my observation, are accurately stated; and I am convinced that every part of the account is correct.

The Recovery of Mr. Tipple from the imminent danger of his situation may be ascribed, principally, to your conduct when first called to his assistance.

The positive benefit from the copious bleeding you have clearly expressed; but your judicious forbearance of the use of a finger or a probe, for the purpose of ascertaining the course of the shaft, is entitled to particular notice.

Many lives have been sacrificed to the gratification of curiosity by researches into the direction and extent of wounds in the body.

I am, &c.

Deenshire Square, August 25, 1812.

WILLIAM BLIZARD.

AN ACCOUNT OF THE TREATMENT OF THE CASE.

On Saturday the thirteenth day of June last, about nine in the evening, I was sent for, in great haste, to a Gentleman who was said to have been pierced through the body by the shaft of a chaise: Alarmed at the account I heard from the Servant who came for me, I mounted the horse he rode, and went off immediately with the utmost speed; and, as I was afterwards informed, arrived at Mr. Overton's house, near Forest Gate, in ten minutes after the accident.

Being told that the shaft had perforated the Gentleman's chest: the first question I asked was, whether he had brought up any blood? On being answered in the negative, I replied, it is impossible then that the lungs can be wounded; but my anxiety increasing with the accounts I received, I hastened up stairs, into the front attic chamber, where I found Mr. Tipple in bed, supported by several pillows; and his left side being towards me, I proceeded to examine it, when, to my great surprise, I perceived air and blood, issuing freely from the part which I afterwards found to be the lower wound, inflicted by the iron under the shaft. Fearful of extending the arm lest it should augment the hemorrhage, I directly covered the wound with some linen, and brought the arm closely to his side.

Observing him to breathe with extreme difficulty, I advised him to keep himself still, and to answer my questions with as little exertion as possible. I then asked him, whether he felt pain in his back? He answered, "No; what I feel is, a dreadful weight in my chest, as if I should be suffocated by the blood, trickling on my lungs." I begged of him to cease speaking; and told him, I would take away some blood, which I was the more anxious to do, being apprehensive he was suffocating from inward hemorrhage. I therefore, as quickly as possible, opened a vein in his right arm with a very large orifice.

Finding the oppression gradually relieved, and that the pulse supported the evacuation, it was allowed to proceed till at least four pounds of blood were taken, when fainting came on; upon which the attendants were eager to apply hartshorn, &c. but I advised them to desist, allowing them only to give him a little cold water.

Nothing more was done until Sir William Blizard arrived, which was at about half past eleven. When I had given him an account of the accident and of what had been done, we proceeded to examine the lower wound on the left side, supposing that to be the part where the shaft had entered; when Mr. Tipple himself informed us, with that perfect calmness which he manifested throughout our attendance, that "this was the wound made by the iron under the shaft; that the wound where the shaft entered was higher up, immediately under the arm;" and, he added, that "there was also a wound on the right side, nearly in the same direction, through which the shaft came out."

On examination we found a corresponding wound under each arm, not less than four inches each in extent.

The left shoulder and side of the chest were, in a small degree, emphysematous.

As soon as the wounds were dressed, the arms carefully brought to the sides, and direction had been given concerning the quiet of our patient, we retired to another room.

Sir William expressed his opinion, that Mr. Tipple would not live over the night, observing, that as soon as the action of the heart revived the internal hemorrhage, which had been checked by the copious bleeding would return, when he would sink. We left him between one and two in the morning, under this impression.

During the time I was waiting for Sir William, I examined the shaft of the chaise very minutely, and observed that it was covered with blood, as far up as where it was supported by the tug; some small pieces of fleshy substance sticking to the tip of the front tug hook, where it was turned backwards, and a piece of flesh, about the length of the little finger, hanging to a splinter of the shaft, between three and four inches from the tip.

* Avoirdupois weight.

On opening the doors of the chaise-house, I had an illustration of the assertion of Mr. Henry and Mr. Edward Lawrence; that the shaft projected several inches beyond the trunk of the body; as it had not only been forced through the weather boarding on the outside of the building, after passing through Mr. Tipple's body, but had also broken down a large piece of the same kind of boarding, and had drawn two strong nails by which it was fastened to the quartering on the inside. The distance through the side of the chaise-house, including the thickness of the two boards, measured nearly five inches and a half.

Upon inspection of the wounds, we had further proof of the correctness of the Mr. Lawrences' Statement, that the horse had forced the shaft to a great extent through Mr. Tipple's body, as it was plain, that the front tug iron under the shaft had entered the side.

It is proper here to observe, that there are two tug-hooks or irons under each shaft, to prevent the tugs which support the shafts by that part of the harness termed the back band from slipping back; and, at the time of the accident, the tug was fixed in the further hook or iron from the end of the shaft, which left the front tug-hook exposed; by which the second wound, on the left side, below the part where the shaft entered, was inflicted; and no doubt could be entertained that this iron had penetrated the lungs, as air with blood escaped by that opening.

The portion of the shaft which passed through Mr. Tipple's body, up to the tug-iron, measures twenty-one inches. The iron itself, by which the second wound was made on the left side, under the part where the shaft entered, measures three inches and a half. Ten inches of the shaft from the extremity is square: the tip measures an inch and three sixteenths by three-quarters of an inch, and, by being beveled off nearly the eighth of an inch, is unusually small. The middle of that part of the shaft which entered Mr. Tipple's chest, where the square terminates, measures five inches and a quarter round; the part where the tug-iron is fixed measures six inches.

Sunday, the fourteenth of June, at eight in the morning, I again visited Mr. Tipple, and, to my surprise, found him nearly in the same state in which I had left him; and was informed that he had enjoyed some sleep. I directed the greatest attention to his quiet; and that nothing more than a little cold water should be given to him, as I was still apprehensive that the internal hemorrhage would return.

Sir William Blizard being again sent for, visited him about the middle of the day; and advised a draught of the infusion of roses, with a drachm of the sulphate of magnesia, every sixth hour.

We met on Monday the fifteenth, at eight o'clock, A. M.; and finding the difficulty of breathing much increased, with considerable pain, weight, and soreness in the chest, he was again bled to the amount of thirty ounces, and became much relieved.

The draughts having operated but slightly, and Mr. Tipple complaining of great fullness about the stomach and bowels, with some degree of nausea, an enema with castor oil, &c. was administered in the evening, and five grains of calomel were ordered to be taken at bed time.

Tuesday, June the sixteenth; Sir William attended with me, at eight o'clock, the usual time of meeting to the end; when we understood that the calomel had operated gently two or three times, but that Mr. Tipple had been very restless, and had vomited frequently. He complained of considerable pain about the region of the diaphragm, attended with the same difficulty of breathing, and soreness in the chest, as described the morning before; whereupon eight ounces of blood were taken from the arm, which gave immediate relief. Glysters were repeated, and in the afternoon, finding that the vomiting had increased, with hickuping also, the saline draught, in the state of effervescence, was prescribed, which happily relieved those very distressing symptoms.

The fatal termination, which had been hourly expected from the beginning of the accident, seemed, when I visited him this night, fast approaching.

But on Wednesday, June the seventeenth, we found Mr. Tipple had passed a better night, with some sleep: the difficulty of breathing being however greatly increased with the soreness of the chest, seventeen ounces of blood were taken away, in consequence of which these symptoms were alleviated. The calomel, which had been repeated each night, having acted freely, his stomach and bowels were also much relieved.

As Mr. Tipple's position was seldom altered for the first fortnight, without my assistance, and this extraordinary accident weighing constantly on my mind, I took occasion to ask him, from time to time, while assisting him with my hand under his back, whether the pressure gave him any pain? and he always replied, it did not.

This day in the afternoon, while an assistant and myself, with our hand under his back were gently raising him on his pillows, I particularly inquired, whether he felt any pain or soreness in his back? when he assured me he did not; and, doubtful whether any rib were fractured, I questioned him at the time of dressing, his wounds, if he felt any

pain in either side, he told me, no other than the smarting of his wounds, observing, as he had done before, that he thought, from the pain and great tenderness about the breast-bone, that it was broken.

Thursday, June the eighteen.—This morning we found his breathing very laborious whereupon twenty-two ounces of blood were drawn; and, notwithstanding he was much relieved in point of respiration by this measure, he still complained of general tenderness in the chest and epigastriac region.

Although the calomel had acted rather freely, it was deemed advisable to add to its effects, by occasional doses of the sulphate of magnesia with the infusion of senna.

The symptoms in the morning having appeared urgent, in the course of the day I received a letter from Sir William Blizard, advising me, if I conceived it to be necessary, to apply a very large blistering plaster over the sternum.

Friday, June the nineteenth.—This day the effects of the blistering plaster, and the very free evacuation of the bowels, rendered the repetition of bleeding unnecessary; but it was thought advisable to continue the aperient.

Saturday, June the twentieth.—This morning the symptoms were not so urgent as to induce us to repeat the bleeding; but in the evening, respiration becoming more difficult, nineteen ounces of blood were taken away.

This day I observed several threads of flannel, deeply in the wound under the right arm, which must have been rent from the under waistcoat, by the splinter near the end of the shaft as it was withdrawn. Finding some difficulty in an attempt to extract them, Sir William advised me to let them remain, as they did (or several days before they separated).

Sunday, June the twenty-first.—The symptoms being moderated, the treatment was similar to that of Friday; and broth was added to his diet, which to that period had been only of vegetable matter.

Monday, June the twenty-second.—This morning Mr. Tiple felt less pain and difficulty of breathing than he had done since the accident; but he had distressing sensations about his chest, which, he said, he could not well describe; and the pulse admitting the measure, Sir William advised the abstraction of more blood.

Hitherto the situation of our Patient had been so critical as to render it hazardous to attempt the removal of the under flannel waistcoat, and the shirt, which were worn at the time of the accident. The blood, matter, &c. having rendered them very unpleasant, it was judged proper to change them, before the operation of blood-letting, while Sir William was present.

Now, for the first time since the accident, Mr. Tiple, while supported, sat up in bed, and his uncomfortable linen and waistcoat being removed, we were enabled to ascertain the situation of the wounds; and especially to examine the back, in no part of which the smallest trace of injury could be perceived, on the contrary, the integuments over the spine and shoulders appeared perfectly healthy and pliable, without swelling or discoloration, or the least pain or tenderness upon being pressed.

When this duty and inquiry were finished, we retired. Sir William immediately exclaimed, "I have witnessed what until now I should have conceived impossible: that the shaft has not passed over the spine is very clear; I have no doubt of its having perforated the chest; but in what manner the vital organs have escaped mortal hurt, no human being can tell: the case, I am persuaded, is without a parallel. Believing that the direction of the shaft has been through the thorax, I am of opinion that recovery cannot rationally be expected; for, although he has been saved from internal hemorrhage by the large bleeding; and, notwithstanding its repetitions have kept down inflammatory action, still the chest internally must necessarily have suffered such injury as will eventually prove fatal." "Yet," continued Sir William, "what appeared to us impossible, having already happened, we will not pronounce his final recovery impossible. Let us continue the struggle, and, whatever may be its result, we shall have the consolatory reflection of having done our duty. I would therefore advise perseverance in the means thus far successfully employed, and should accordingly repeat the bleeding."

As soon, therefore, as Mr. Tiple was recovered from the fatigue of changing his shirt, &c. I took away fourteen ounces of blood, by which he informed us, he was more relieved than he had been before; not feeling any pain, only a smarting sensation, similar to that which he experienced in the wounds under his arms, on each side the breast-bone, internally, in the direction in which he was convinced the shaft had passed.

As the blistered surface, from the plaster on Thursday, was nearly healed, another, larger, was directed to be applied; and the bowels to be frequently moved. By these means the symptoms were so much abated, as to render any further recurrence to the lancet unnecessary; and on Thursday the twenty-fifth day of June, the alarming effects of the injury had so far subsided, as to admit of a reasonable hope of Mr. Tiple's recovery. Nevertheless, as his situation remained critical, the blistered part was kept freely discharging; and the aperient medicines were frequently administered for several days. He continued gradually to recover, and the wounds to heal, which from the extensiveness of the laceration, were however scarcely closed at the end of nine weeks.

Having made a statement of the different circumstances, as they occurred, in this extraordinary case, it may be expected, that I should offer an opinion of the probable direction of the shaft in passing through Mr. Tiple's body.

From his own narrative, and from the positive testimony of Mr. Edward and Mr. Henry Lawrence, independently of my own observations, I have no hesitation in declaring my firm belief, that the shaft being small at the tip, and of a wedge-like form, was forced between the ribs on the left side, into and through the cavity of the thorax, under the sternum; and out between the ribs on the right side; not suddenly, but by several distinct movements, whence the lungs, large blood-vessels, &c. escaped fatal injury.

That the shaft took the direction described, is further proved by the laceration of the wounds being obliquely upwards towards the breast, as may at the present time be particularly observed, in the cicatrice of the wound on the left side, which tends very obliquely upwards to the front part of the arm-pit. The wound on the right side, was still more deeply lacerated under the integuments in front; whereas in its direction towards the back, it became very superficial. The threads, moreover, from the flannel waistcoat, which, doubtless, were drawn in on the right side, by the splinter, as the shaft was withdrawn, were so deeply in towards the forepart of the chest that it was considered dangerous to remove them. Had the shaft taken a direction under the scapula, on being withdrawn, the threads of flannel must have been carried backwards toward the spine; and, had the shaft passed under the muscles and integuments, across the spine, the laceration in that direction must have been very great, as the whole weight of Mr. Tiple's body was at times suspended, while the horse was plunging with him on the shaft, until extricated by the second Mr. Lawrence.

The cuticle being considerably grazed above the wound under the right arm, as it was forced against the boarding of the chaise-house, is a proof that the arm was extended upwards and forwards. Indeed, Mr. Edward Lawrence asserted, that when the first saw Mr. Tiple he had no idea that the shaft was through his body, nor until he had backed the horse with the shaft from the building; and that then for a few moments, he imagined Mr. Tiple was confined to the shaft, by its having passed through the front part of his clothes; while Mr. Henry Lawrence with his Brother, positively asserted, that both Mr. Tiple's arms were extended and bearing on the shaft.

Mr. Tiple, at this distance of time, feels considerable tenderness, from the slightest pressure on the forepart of the thorax.

Since the Statement, and the above Observations, were written, Mr. Henry Lawrence has informed me, that Mr. Tiple's left arm was extended over the back-band, with the tog which supported the shaft directly under the arm in front.

SUPPLEMENTARY FACTS, AND OBSERVATIONS.

When the accident happened to Mr. Tiple, his digestive organs were, and had for some time been, in a weak condition; in this respect he is thought to be better now than he was before the occurrence; but his general strength is much impaired; his breathing, upon exertion, is difficult; and his sense of soreness in the breast remains undiminished.

During the first week or ten days there were several times strong expressions of inflammatory action in the region of the liver; and, within that period, some of the motions contained much dark gummy blood.

Opiates were administered at night occasionally.

The blistered surface of the breast was kept open to nearly the end of the attendance; as the discharge seemed constantly to afford benefit, and is supposed to have contributed greatly to final recovery.

There is now a depression of two or three of the cartilages, on the left side of the sternum; making a hollow, which Mr. Tiple affirms did not exist before his accident.

The cicatrice of the wound by the shaft, on the left side, is near to the fifth rib; on the right side somewhat lower.

The Admiralty and Lloyd's.

To the Editor of the Times.

Sir, As an old member of this establishment, so essential to the commercial interests of the country, I beg to express my thanks to you for the observations which appear in your paper of this day, upon the recent correspondence which has taken place between the Committee and the Admiralty on the subject of piratical depredations in the West Indies. According to Mr. Croker's letter of the 19th inst. no further communication is to be held between the Admiralty and Lloyd's; in short, the board do not wish to be troubled with any more representations of the molestation of the British trade by pirates or remarks upon the misrepresentation of their Secretary with regard to the disposition of the naval force under the command of the Admiral on the Jamaica station which ought to be employed in protecting commerce, instead of being engaged in conveying specie for the private emolument of the admiral and favoured captains, who are appointed to such lucrative commands; whilst the merchant ship owners and underwriters who contribute to their support, are suffering by ships of war being engaged as common carriers of specie, and, in a great degree, the property of foreigners instead of affording protection to British interests which the country pays them for. It is clearly to be seen, that the breaking off of the correspondence is owing to Mr. Croker having been informed by the committee upon the clearest evidence possible, that his Majesty's ship *CARNATION* was not stationed off Cuba for the protection of the trade, as he stated in his letter of the 9th instant, but was on the 12th of August on her way to Jamaica with specie; and that the *DOTTEREL*, instead of being in that quarter, had on the 20th of August arrived at New York, with a freight of specie from Havannah, from which port she sailed on the 11th of August.

If the Lords of the Admiralty have been deceived by the despatches received from Sir Charles Rowley, or the commanders of the *CARNATION* and *DOTTEREL*, those officers should be called to account, and not the correspondence with Lloyd's cut off because the Committee have stated facts.

I know that the Committee and the subscribers at large have always duly appreciated the intercourse which has been kept up for many years between the Admiralty and this house, and that the Committee have been glad of opportunities of communicating intelligence of importance not only to that Board, but to other departments of Government, and which during the late war were not infrequent; and now from the sources of their numerous agents in all parts of the world, information it is often obtained, which the Admiralty cannot be in possession of.

When Mr. Croker was practicing in his legal profession in Ireland, and had no expectation of being so elevated as he is at present, the subscribers to Lloyd's set the example to the nation, by entering into subscriptions when any naval action occurred, for the purpose of alleviating the distress of the widows, children, and relatives of those men who bravely fell, and to relieve the sufferings of the wounded; and the sums which were raised for the actions of the 1st of June, the Nile, Cape St. Vincent, Camperdown, and others, were not insignificant; but it cannot be forgotten that in 1808, the patriotic fund originated at Lloyd's to which a sum of no less than 35,000*l.* was contributed from the funds of that house. The subscriptions of individual subscribers were truly magnificent, some having put down their names for 1,000*l.*, 500*l.*, 300*l.*, 200*l.*, 100*l.*, and downwards; and the effect it had on the country will never be obliterated from the remembrance of our gallant sailors and soldiers and their relatives who have obtained liberal compensation from it. To the subscription for the battle of Waterloo, 10,000*l.* was subscribed from the funds; and they are constantly being appropriated to the reward of boatmen and others who save the lives of their fellow creatures at the risk of their own, the establishment of life-boats, and other humane purposes; and yet with these parties, who have been, and still are, so serviceable to the State, the Admiralty Board, or their Secretary, thinks proper to cut off all correspondence. But this is not the first instance of the Board wishing to decline any unpleasant communications. I think about the middle of the year 1814, when the captures in St. George's and the British Channel, by American privateers, were so numerous that hardly any premium was adequate to the risk, a representation of the losses was made by the Directors of the Royal Exchange and London Assurance Corporations to the Admiralty, with a request that better protection might be afforded to the trade, when Mr. Croker replied, by command of their Lordships, that the trade was sufficiently protected; and which answer, I believe, ended the correspondence, the companies finding it useless to make any further communications after being told that the trade was sufficiently protected, when hardly a day passed without accounts of captures almost in sight of our own coast. I could state many cases of neglect on the part of the Admiralty Board, or the admirals on the different stations, from the first breaking out of the late American war; but I fear that I have already gone to too great length for your valuable paper; and therefore subscribe myself.

Lloyd's, Oct. 25, 1823.

AN OLD MEMBER OF LLOYD'S.

Measure of things.—We measure the goodness of God from ourselves: we measure his goodness, his justice, his wisdom, by something we call just, good, or wise in ourselves; and in so doing we judge proportionably to the country fellow in the play, who said, if he were a King, he would live like a Lord, and have peas and bacon every day, and a whip that cried slash.—*Selden.*

New use for dead men's Bones.—It is estimated that more than a million of bushels of human and animal bones were imported last year from the Continent, into the port of Hull. The neighbourhood of Leipsic, Austerlitz, Waterloo, and of all the places where, during the late bloody war, the principal battles were fought, have been swept alike of the bones of the hero and of the horse which he rode. They are shipped for Hull, thence sent to Yorkshire, where they are ground by steam-engines, and lastly sold to the farmers, chiefly at Doncaster, to manure their lands; the oily substance in them making an excellent manure. Dr. Darwin, in his book on the principles of Agriculture, laments that our bodies when dead, should be buried deep in the earth instead of adding to the fertility of the soil, and thereby increasing the mass of enjoyments of the living.

Storms, &c.—The earth has been singularly shaken and perturbed for the last 12 months. The storms that came up last winter from the south-west, shook all the coast of Europe. The same winds that broke down the vale of Genoa, destroyed on the single coast of Jutland no less than 200 vessels, small craft of course included. There was said to have been 14 or 15,000 sail less on Lloyd's books than on the year preceding, valued on an average at 1500*l.* a-piece. During the storms in December, Mount Hecla burst out in Iceland. This eruption has latterly been followed in the south by Vesuvius, and similar ones are talked of in the East and in the South Seas. The dreadful earthquake that has taken place at Aleppo, has been accompanied, at a little interval of time, by one as far north as Stockholm, and was preceded by petty shocks on the coasts of Italy and Spain. At the time that Lord Byron and Mr. Leigh Hunt were on their way to Genoa, the other day, one took place at Lerici, the place for which Mr. Shelley was bound from Leghorn, when the world was deprived of that excellent person by the annual storms of July. It was just smart enough to shake the pictures on the walls, and to be felt in bed. At Genoa, on the 25th ult. there occurred, what the Italians call a *Rovina d'acqua*,—a ruin of water. A storm took place, in which the rain fell with such violence, that in the course of a few hours, the almost dry bed of the river was swollen into a formidable body of water, which broke down one of the bridges, and swept away some houses and their inhabitants. An earthquake has occurred at Calcutta, but without accident.

Cromwell.—Sir Phillip Warwick describes Cromwell in the House, as "very ordinarily apparelled, for it was a plain cloth suit which seemed to have been made by an ill country tailor; his linen was plain, and not very clean; and I remember a speck or two of blood on his little hand, which was not much larger than his collar. His hat was without a hat-band; his stature was of a good size; his sword stuck close by his side; his countenance swelled and reddish; his voice sharp and obstinate; and his eloquence full of fervour. I lived (he adds) to see this very gentleman, whom out of no ill will to him I thus describe, by multiplied good successes, and by real but usurped power, (having had a better tailor and more converse among good company in my own age, when for six weeks together I was a prisoner in his serjeant's hands, and daily waited at Whitehall) appear of a great and majestic deportment and comely presence." Oliver's nose, it seems, afforded some fun to the wits. It was red and shining—what Shakespeare describes as "a perpetual illumination." Cleaveland says, "This Cromwell should be a bird of prey, by his bloody beak; his nose is able to try a young eagle whether she be lawfully begotten." And in another place "Cromwell's nose wears the dominical letter." "Pray," said Lord Digby to Hampden, "who is that man, for I see that he is on our side by his speaking so warmly to day?" "That sloven," replied Hampden, "whom you see before us, who has no ornament in his speech, that sloven, I say, if we should ever come to a breach with the King, which God forbid! in such a case, I say, that sloven will be the greatest man in England." What a different judgment would a Carlton-house beau have pronounced upon the ill-dressed politician!

Du Val, the Highwayman.—This hero having arrested the carriage of a certain Knight and his lady, who he knew were travelling with 400*l.* in their possession, the lady, to shew she felt no apprehension, began to play a tune on her flageolet. Du Val very decorously waited until she had finished, and then, being himself, an excellent musician, took a flageolet which hung by his side, and played a tune in return, and afterwards stepped up to the carriage, and invited the lady to dance a coranto with him. So reasonable a request could not be refused; she descended, performed the dance, Du Val singing the tune; and was handed back by her partner to the carriage. He then reminded the knight that he had forgot to pay the music, whereupon the courteous Knight presented him with a hundred pounds, which our hero politely accepted, telling him he would let him off the other three hundred he had with him. — *From that very amusing and clever work the Retrospective Review.*

MISCELLANEOUS.

—73—

Letters on a Tour in Switzerland.

(From the New Monthly Magazine.)

Even here where Alpine solitudes extend
I sit me down a pensive hour to spend. GOLDSMITH.

As we drove towards Aarberg on the road to Berne, every successive object presented a change of character from the villages and people of Neuchâtel and the Pays de Vaud. It was evident we have quitted the *Pays Romand* (French Switzerland), and were now in the heart of the German canton of Berne. The appearance, stature, costume, and looks of the people, presented a marked difference: the men were taller, squarer, more strongly built, with an air of true German sedateness and taciturnity: the women large portly dames, with their fair hair parted across the forehead, (I cannot say the "*anrea quæ fallax retia tendit Amor*,") large lace grasshopper wings to their caps, a black velvet bodice, short stuff petticoats, thick ancles, and silver buckles on their shoes. Such is a Bernese beauty (for they are reckoned some of the finest women in Switzerland)—a sort of Rastie queen—a peasant woman of Rubens—with a clumsy kind of dignity, and a sort of ponderous grace which is not very piquant or attractive, at the same time that it is impossible to deny her the merit of good a shape, fair complexion, and arms and legs which render her a most serviceable helpmate to her husband in all agricultural employment. The country around us was, in general, of the richest pasture, the verdure of which I never saw equalled except in England. Indeed the neatness of the fields, the carefully compacted inclosures and hedgerows, the chequering of wood here and there interspersed, give the country more resemblance to our own than any district I ever saw on the continent. Had the broad barrier of the Jura behind us and the glittering snow tops of the Alps peeping out from the clouds before us, been removed, the home-scene immediately about us might easily have been taken for a scene in the county of Hertford or of Berks. The resemblance would be put to flight, indeed, in a moment by the appearance of one of the aforesaid Amariyllies with a pitch-fork on her soulder, driving home a load of sheaves drawn by a pair of little fawn-coloured cows obeying with docile steps the shrill voice of their mistress. We crossed twice the rapid Aar, which waters this green and fertile country, and arrived at the white, elegant and picturesque town of Berne towards evening.

Berne is beyond comparison the finest and best-built town in Switzerland, with peculiarity of character and situation which render it unlike any place with which I am acquainted. It stands on a narrow high peninsular ridge almost surrounded by the Aar, over which there is a handsome stone bridge at the lower extremity of the town. This ridge slopes down with great rapidity to the river—in some places its sides are nearly perpendicular, in others covered with garden and vineyard; and the houses of the town look down immediately on the river and green meadows at 200 feet below. The width of the town from the river to the river is no where more than a quarter of a mile, and its length about a mile. On all sides are noble terrace-walks overhanging the Aar, and commanding the loveliest prospects of the pastures, woods, and mountains round the most delightful of these walks is on a terrace above the river in the church-yard of the Cathedral, where the Bernese are fond of lounging under the shade of some fine avenues of horse-chestnuts. The river flows rapidly immediately below the terrace, and is formed into a fine murmuring cascade by a mill-dam below. A fine expanse of the richest meadow, studded with white peasants' houses, *châteaux*, and farms, stretches for some miles near the river; while a fine slope of pasture mountain, half covered with a fir forest, rises beyond, closing the rich home landscape. A green, fresh pastoral beauty characterises this near scene. It is more like Arcadia than any picture one's fancy can suggest; but, lovely as it is, a far sublimer and more lovely sight opens on the eye when the clouds break away, and beyond this verdant foreground the Bernese Alps in all their grandeur rise towering into the heavens, and glittering with a resplendent whiteness. The grandeur of landscape can hardly go beyond this view. Every near object glads the eye and soothes the feelings with an aspect of rural plenty and peace and independence; while the hoary majestic forms of these distant "palaces of nature" give a nobler and more elevated tone to the feeling which the scene inspires—

All that expands the spirit, yet appals,
Gather around these summits.

The interior of the Town, is neat, regular, and cleanly beyond example for a town of the same size and antiquity. It is built entirely of white stone, and well paved. The main street, which runs the length of the town, is divided in the middle by an antique arch and gateway of an early date, erected by Berchtold, Duke of Zähringen, the founder of the town. Over this gateway is a very curious ancient clock of singular mechanism, and one of the earliest specimens of the art. All the houses in Berne are built towards the street on arcades which occupy the place of the ground-floor, so that the foot pavement is entirely under cover—a great convenience to foot passengers. This gives a uniform and some-

what quiet and lifeless character to the streets, the shops being kept out of view, and the throng of passers concealed under the arcades. Berne has in all respects a truly aristocratic appearance. The approaches to the town are by admirable roads between avenues of limes and chest nuts. The gates and entrances are striking—the public buildings, particularly the hospital, the mint, and the cathedral, are imposing masses of stone architecture—fountains and gushing streams, are distributed in all quarters of the town—the noble terraces, fine ramparts, with dear and bears running loose in the ditches, the arms of the ambassadors on their mansions, and the absence of all the dirt and noisy confusion of commerce, of which there is not a shadow at Berne, give a character of patrician elegance and dignity to this metropolis of a pastoral and agricultural country. Patricians and peasants are alone to be seen at Berne. The Bernese have the credit of possessing a spirit quite in keeping with this aristocratic air of their town. They pride themselves much upon their venerable families which have furnished distinguished statesmen and warriors to Switzerland from the earliest periods of the Helvetic league to the present day. Some of the families who now take lead in the council, and who frequently fill the office of Avoyer or president of the republic, have filled the same offices, cultivated the same estates, and dwelt in the same *châteaux*, almost since the days of William Tell. Some branches of these ancient families, which are often very numerous, are not in affluent circumstances; but few condescend to resort to commerce; preferring, in the true chivalrous spirit of their ancestors, the profession of arms, and entering into foreign military service rather than degrade their hereditary rank by mercenary occupations. There is something noble and respectable in this sort of feeling which induces men to submit to personal privations and sacrifices from what they conceive a point of honour to their families and themselves. Aristocracy at Berne is, in fact, the stern ancient warrior's feeling full of pride and patriotism, but in no way sullied by pomp or fastidious luxury, or frittered away by foppery and fashion.

The simplicity of life in all ranks is most remarkable. All the town, from the Avoyer downwards, dine from twelve to two. No carriages or equipages, or laced liveries, are to be seen. Except one of the Spanish Minister, I never saw a coach in the streets of Berne. The first dignitaries and nobles are to be seen driving themselves in a humble *char-à-banc* with one horse. The "*Persicæ apparatus*" of the table are not attempted, and a man servant is a rarity even in the best houses. Society was described to us by the Bernese themselves (for we were at Berne in the heat of summer, when "*the season*" was quite at an end) as rather of a stiff old-fashioned character. The *coterie*s are divided strictly according to ages—the old, the middle-aged, and the young, form entirely distinct parties, and rarely mingle together. Till a certain age, a young lady or gentleman belongs to the youthful squadron—at a precise period they quit this and enter into the next division. At the *casino* to which they were introduced, the same regulation prevails—there is the young men's room, and the elderly gentlemen's room—they can by no means read the papers or play billiards in the same apartment. Various other etiquettes of the same sort prevail in the best society. If a husband and wife go to the same party, they cannot possibly go together; the wives go about an hour beforehand, and then the husbands appear. Swiss society does not appear in general, to afford very brilliant resources of conversation, or the graces of court breeding; but, when you stand in a circle of Swiss gentlemen, their plain and simple manners and appearance vouch for the manly strength and virtues of their character: you feel that you are among honest men and gentlemen in feelings and in birth. Their conversation is that of agricultural gentlemen—the patricians of a pastoral state: the vintage, the crops, the barometer, the foreign news, are discussed with unpretending good sense; then a rubber at whist is resorted to; and waiting is the never-failing resource of the young people.

Politics are naturally enough rather a sore subject at Berne; the wounds of the Revolution were too deep, and are still too fresh, not to smart on touching. At Berne, these are naturally felt with peculiar acuteness. In one day the glory and pride of three centuries were tarnished. On the 5th of March, 1798, Berne was entered by French troops. This stern oligarchy, which had been the fulcrum and shield of the Swiss Confederation for centuries, preserving neutrality and peace to Switzerland, and ruling its subjects with a paternal and tranquil authority, was broken and overthrown with insult. Its treasure, to the immense amount of fifteen millions of francs, was pillaged; its venerable dignitaries insulted—its brave defenders slaughtered—its arsenal, with 40,000 stand of arms plundered—and even the antique armour of the warlike forefathers of the state carried off by a rapacious soldiery. It is now, indeed, restored to peace and to much of its ancient condition but its treasure, accumulated by the frugality and honesty of its rulers for centuries, has been squandered by the French armies—its armoury is despoiled—it has lost two of its fairest provinces, the Pays de Vaud and Argovie—the charm of long unbroken peace and security is dispelled; and what is, perhaps, as disagreeable as all to the upper ranks, the frame of its venerable institutions has been shaken, and their pure

aristocracy compelled to endure a coalition with some democratic elements. Before the Revolution, the eligibility to all offices was vested in 236 ancient families, among whom about seventy in fact, monopolized all honour and consequence—for honour and consequence were every thing—their emolument was little more than nominal. Their Excellencies the Members of the Sovereign Council had none at all, and the President of the State (the Avoyer) had about 490*l.* per annum—and this with fifteen millions of francs in the public treasury! Since the Revolution, the door has been opened to a considerable number of families, of the upper peasantry, who are now eligible to public offices, but in such a number as still to leave a decided preponderance among the old aristocratic families. Taxes were absolutely unknown in Berne before the Revolution, thanks to peace and frugality: they are now very trifling in amount. The hospitals are admirably administered. Beggars are unknown; every individual has a claim on some commune or parish for support; and if ever peasants appeared well fed, substantial, proud, and opulent, certainly it is the peasantry of Berne.

The old government of Berne, according to the general confession of friends and foes, afforded one of the most remarkable instances in history of a long course of spotless integrity, and wise and temperate administration. The people it is true, had no influence in it; the oligarchy of old families were absolute rulers. But for five centuries the people had lived prosperous, powerful, and happy, without a single tax, with little either of poverty or crime, with justice open to all, a public granary full of corn provided for emergencies, and a treasury overflowing with money, for which there was absolutely no use in a state where the rulers were unpaid. The best representative government that ever existed never secured so long and plentiful a result, of happiness to a people as had been produced by this absolute oligarchy. It is no proof of the advantage of such a form of government in the abstract—but it is a proof of the honour, benevolence, and patriotism of the Swiss aristocracy, which will in all history redound to their glory. Nor is the fact to be considered as imputing blame to the advocates of some kind of change. Even had the French not introduced their own principles as usual at the point of their bayonets, the people were, perhaps, fairly entitled to demand some innovations suited to the spirit of the times and their own increased lights and knowledge. They began to see, that, without a single important grievance to complain of, they held their freedom and prosperity only at the pleasure of the Sovereign Council; they had no securities but their rulers' integrity and conscience. They began to theorize as well as their neighbours, and in theory they had neither rights, nor freedom, nor security of any kind. They cannot be blamed for having urged a demand to some guarantee of the permanence of those blessings of good government which they had enjoyed for centuries. The means by which their object was effected were, indeed, bitter and galling to Switzerland; but French ambition and avarice, and the imprudent zeal of some Swiss reformers, must take the blame of these excesses. Notwithstanding the successful defence of their liberty and neutrality for three centuries against ordinary attacks, it is, perhaps, doubtful whether Switzerland, even had she been firm, united, and undivided by French principles and views of reform, could have withstood the overbearing torrent of an invasion by Republican France. Her reformers and revolutionists certainly did not allow her the trial, and gave France assistance; but they were the dupes of that, which duped some of the greatest and wisest men in Europe—the perfidious hypocrisy and profligate ambition of the agents of the French Revolution.

Singular Case.

ARCHES COURT, SATURDAY, NOVEMBER. 16 1823.

IN RE "BARLEE AGAINST BARLEE."

As soon as the Judge had taken his seat, the Registrar announced that he held in his hand a letter, with a petition, respecting the case of Mrs. Barlee, sometime a party before this Court.

The Court directed the same to be read, which the Registrar accordingly did. The letter, which bore date Ipswich, October, 1822, and was addressed to the Right Hon Sir John Nicholl, Knight, Official Principal of the Arches Court of Canterbury, was very brief. It merely represented the opinion of the subscribed parties, that the case of Mrs. Barlee was one deserving of the utmost commiseration, and that it might be worthy of being noticed and revised by his Honour the Judge, if such a proceeding could now properly be adopted. This letter was signed by J. W. Sturt, High Sheriff of the county, and by several others, Magistrates of the county of Suffolk. The petition was described as coming from F. Sarah Barlee, now a prisoner in the goal of Suffolk, for contempt of this Court, under and by virtue of a writ issued in 1821 to ———— Bennett, Esq., High Sheriff of the said county. The petitioner having been by the Court directed to return home to her husband (in the well-known case of Barlee v. Barlee, in Arches) begged to state that she did not know where her husband now resided, he not having had

any regular home for some time past; and further, that did she even know his residence, she should not dare so to return home, having been already, on a former occasion, compelled to swear the peace against him owing to his conduct; that on the 6th of June, 1815, a verbal agreement to separate took place between her and her husband; that in the July following he confined her in a house in Vine-street, Lambeth; and that on the 27th of July, she was compelled to swear the peace against him; that for three years prior to such verbal agreement to a separation, she and her husband had lived separately from each other; and that she is the heiress to a considerable property, part of which by her marriage settlement was covenanted to be applied to her own use, but which had been mismanaged and withheld from her. Finally, the petitioner prayed the Court to pardon her contempt (in not having returned to her husband according to its decree); and by making an order for her liberation, afford her an opportunity of saving her life and her property.

Sir JOHN NICHOLL said, a copy of this memorial or petition had been transmitted to him also. That memorial, and the accompanying recommendation of the High Sheriff and Magistrates of the County of Suffolk, gave the Court an opportunity of publicly noticing the case of this unhappy woman, and by such notice, the party herself, and those who took an interest in her behalf, might become informed, that the Judge of this Court, while he participated very sincerely in their commiseration for a most unfortunate female, had not the power to afford relief in the manner prayed. Mrs. Barlee was in prison for a contempt; and an erroneous notion prevailed pretty generally, that a contempt must be some disrespect shown to the Court itself; and that imprisonment on that account was at the pleasure and in the discretion of the Judge. But this was a great mistake. Properly speaking, a contempt implied the refusal of one to do some act that was in justice due to the party in a cause; such as, the not giving in answers; the non-payment of costs, and the like. In such cases, the imprisonment was ordered at the prayer of such other party—a prayer which the Court could not refuse to grant, without a breach of its professional duty, and a denial of justice. By the law of the country, married persons were bound to live with each other; and if either of them withdrew from that cohabitation without lawful cause, the other might by a writ in the Ecclesiastical Court compel the party withdrawing to return. The only lawful cause for thus withdrawing was, either the cruelty or the adultery of the other party. This Court could take no cognizance, as between husband and wife, of disputes about property, or mere verbal agreements to live separate. To constitute a legal case of cruelty, there must be personal violence, or manifest danger of personal violence; for unkindness and reproachful language on the one side, however improper and disgraceful, or, on the other side, vain and unfounded fears, did not amount to that species of cruelty which the law could notice. Such a case, too, it need hardly be added, must be more than charged upon an individual, it must be clearly established by evidence. Mrs. Barlee had withdrawn from her husband; he instituted a suit to compel her to return; she pleaded his cruelty to her; time was allowed her to produce her witnesses; that time was repeatedly extended, until at length, no witnesses being produced by her, the Court was bound in justice to the husband to conclude the cause, and to decree Mrs. Barlee to return to her husband. A monition to that effect issued hence; it was not obeyed, and the Court was consequently compelled, on behalf of the husband, to pronounce Mrs. Barlee in contempt for not obeying its monition. Several letters had been addressed by the lady herself (very wrongly, undoubtedly) to the Judge of this Court; and, as he believed, to other judges, and to various persons besides, complaining of her husband, of her trustees, of her relations, and her law agents, suggesting that all were in a conspiracy to oppress her, and to deprive her of all her property. The Court would only by aside those letters without answering or acting upon them in a matter depending before it in judgment. But they did appear to exhibit such symptoms of aberration of mind, as to induce the Court (on its being pressed to pronounce her in contempt) to throw out a suggestion to her friend, as to whether they could produce any satisfactory evidence of her mental derangement; for an insane person could not be guilty of contempt, so as to be legally responsible for it. No case of this sort, however, was brought forward by Mrs. Barlee's friend. On repeated applications on behalf of the husband, the Court was at length obliged to pronounce Mrs. Barlee in contempt, and to signify her contempt to the proper temporal jurisdiction. There the authority of this Court ceased; for the imprisonment took place under the authority of that temporal jurisdiction. This Court had no power to release the party at its pleasure; but only on her obedience to the monition obtained by her husband. The learned Judge added, that he could no more so release her than a Judge in a court of common-law could of his own pleasure release a party imprisoned for damages under a verdict given by a jury in an action to recover damages, tried before such Judge. The Court would now publicly address a few words (and they should be considered only as extra-judicial, and proceeding from him as the opinion of an individual merely) by way of suggestion to the husband. His wife had now

Tuesday, May 6, 1823.

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been imprisoned nearly a year and a half; and had suffered, for that would hardly be doubted, most severely in body and mind. Now, what was the husband's object? Not to obtain the comfort of her domestic society—that, under the circumstances, could hardly be what he had sincerely in view—not to defend his own character, for his wife having brought no witnesses to the charges she had made, left his innocence of them to be presumed. If this object was, as the wife suggested, an attempt to work on her fears so as to extort from her some arrangement respecting her property, and her legal rights in respect of that property, it might be a case for the consideration of another jurisdiction; and the husband therefore might do well to reflect whether he would not at length consent to her release. As to the wife, the Court put it to her friends and legal advisers whether, if she was truly of sound mind, she had not better return to her husband, on his indicating his *bona fide* home. If she was really sane, and not perversely obstinate, she might possibly be satisfied that she could return with perfect safety to her husband. The Court would venture to state, that if, after such return, her husband should be guilty of cruelty towards her, she would be justified in instituting against him a fresh suit for legal separation. If, on the other hand, he should treat her kindly, it would show her that her fears were vain and unfounded, and that she had no just grounds for refusing to live with him. Again, if a case of derangement should be set up, and established to the satisfaction of the Court on the behalf of Mrs. Barlee, that would furnish her friends with a good prayer to the Court for her release. The remaining suggestion that the Court had to offer, it addressed to the High Sheriff and the Magistrates who had so humanely interested themselves in favour of this unhappy lady. She had again improperly transmitted to the Court a letter, which it would read, observing that the gentlemen who had signed the recommendation, and all who now heard him, must, or at least should be aware, that the party was not in the prison of this Court. The Court had no prison; and no power of imprisonment. That power belonged exclusively to the temporal jurisdiction. (The Judge then read the letter.) It informed him "That her husband, under the Court's sentence, had imprisoned her in the county gaol, where he had now kept her for 15 months, having several thousand pounds of her property in his hands, but denying her food and clothing, and money even for her washing expenses." She stated that the magistrates were acting on the ex-parte statement of her husband's advocate, and in furtherance of their views who "were conspired against her;" that she received only the county allowance of bread and water, and that the bread was very bad; that she had been exposed to the cold night air, the wind and the rain; that the grossest abuses existed in the prison, and that she had been forced by the gaoler into a close confinement for above nine months past; he having also harboured her husband in the prison, and denied her air and exercise; that to prevent getting a little air, even at the window, a pistol was fired at her as she was looking out last Christmas-day; that she had been six months without shoes to her feet; that to sustain her life, she had been obliged, although the heiress to considerable property, to beg; but begging even had become precarious, and had at length entirely failed her; that complaint to the magistrates had only added insult to injury; that she had been deprived of her personal liberty; that her person and property had long been exposed to considerable danger, while justice had always been denied her; that it was not possible for her to consent to return to her husband, it being a duty which she owed to God and herself not to go to be murdered; but that it would have been mercy to have murdered her the first day she arrived in that prison, rather than to have subjected her to the lingering torture she had experienced since she had been there. The letter concluded by expressing a hope that the Judge would direct her liberation; and as a Member of Parliament, feel it his duty to visit the prison, and see the miserable place in which she was confined." (The letter appeared to excite a considerable interest in Court.) The learned Judge observed that this letter might be unfounded in truth; or perhaps highly coloured by a disordered mind; and it certainly bore some traces of such a character. Still it might be very fit that the truth of these complaints should be inquired into by the High Sheriff and the magistrates. Simple imprisonment, by mere confinement within the walls of the goal, was all that this party was legally subject to. It was not intended that she should be subjected to this extraordinary severity of imprisonment, in order to extort from her obedience to the monition to go home to her husband. If, therefore, the gaoler had treated her with unnecessary harshness, and still more, if he really had harboured the husband in the prison merely to annoy her, and thus to expose her to unnecessary vexations, it would be for the Sheriff and magistrates to consider whether it might not be proper to set on foot an inquiry into his conduct. As to her food and raiment, if she really had no means, and did not through mere perverseness abstain from using any she had, and if it was true that the husband did possess ample means to provide them, it would belong to another jurisdiction to consider, whether the husband, notwithstanding her imprisonment, was not legally bound to supply her with such necessities

according to the means he had? On this point the Court was not legally competent to give an opinion. The Court would only, in conclusion, express a hope that these observations might find their way, correctly, to the several parties concerned in them; but it must repeat that it possessed not the power to grant the prayer of the present application.

[Mr. Barlee is, we understand, a clergyman of the Church of England, having a living in or near Yarmouth, in Norfolk.]

Professional Assistance.

COURT OF KING'S BENCH, WESTMINSTER, NOV. 15, 1823.

At the full sitting of the Court the Judges entered on the consideration of cases in the special paper.

RIGHT OF PARTIES ACCUSED OF CRIME TO PROFESSIONAL ASSISTANCE ON EXAMINATION BEFORE MAGISTRATES *Cox v. Coleridge and Another*.

Mr. COLERIDGE rose to argue this case on behalf of the defendants. The declaration contained two counts: the first stating that the plaintiff entered a common inn, whence he was forcibly expelled by the defendants; and the second, charging a common assault. To this there were two pleas: the first, setting forth that the defendants were two magistrates of the county of Devon, and were lawfully assembled in the public house alluded to for the examination of the prosecutor and witness against a man called George Brown, charged with felony; that the plaintiff intruded himself in the room, which he was civilly requested to leave, and that he refused to leave it, on which necessary force was employed to expel him; the second plea, alleging that he so improperly conducted himself in the public house as to render his expulsion requisite. To the first of these pleas the plaintiff replied that he was an attorney of the Court of King's Bench, and well skilled in the laws and customs of the realm; that George Brown had been previously examined, and had alleged, that there were witnesses who could prove his innocence; that Brown was set at liberty to give him an opportunity to procure them; that this second examination was appointed further to investigate the charge; that Brown retained the plaintiff to assist him in his defence; that the plaintiff accordingly entered the room for the purpose, and made known his professional character and retainer, but was forcibly expelled in the manner stated in the declaration. To this replication the defendants demurred, and thus the validity of the replication was submitted to the judgment of the Court. On these pleadings two questions arose: first, whether a person in the situation of Brown had a right to insist on being permitted to introduce an attorney on his behalf; and second, whether, admitting such right, there was a privity between the client and the attorney, sufficient to entitle the latter to insist on the right as his own. The first of these questions was the most important, and on this only did he (Mr. Coleridge) propose to occupy the time of the Court. There were two modern decisions which it would be proper to mention, though not exactly in point—"The King v. the Justices of Staffordshire," 1 Chitty's Reports, 218; and "The King v. Barron," 3 Barnwell and Alderson, 439. In the first of these, where a party was charged with an offence against the game laws, an attorney appeared for him, and was ordered to retire by the magistrates; and the Court refused to grant a criminal information against them. In the second, the Court also rejected a similar application against magistrates who had refused to permit an attorney to be present and comment on the evidence to be given on a charge of felony. These were indeed cases of criminal information, where the legal right was not strictly in issue, but still the opinion of the Court was evidently that the attorney in each instance had no right to interfere. But if all cases were put of the question, and the point were regarded in reference to principle alone, it would be clearly found that neither the situation in which the prisoner stood, nor the duty which the magistrates had to perform, admitted of the doctrine that he had a right to demand of them liberty for his attorney to assist him. He was not on trial, but examination, and they were bound to commit him, not only if they were perfectly satisfied of his guilt, but unless they were assured that the accusation was groundless. The ancient authorities indeed carried this doctrine further, for it was laid down by Dalton, in his Justice, c. 167, that even if magistrates believed the party to be innocent, it was the safer course for them not to discharge, but to commit or bail him.

Mr. Justice BAYLEY.—That is hardly law now, Mr. Coleridge. Is not that an authority which proves too much?

Mr. COLERIDGE replied, that his argument did not require that this doctrine should be sustained to its full extent. In another passage the same writer recommended magistrates to receive the testimony even of infamous and incompetent witnesses, and to submit their evidence to the judges of assize, rather than to take on themselves altogether to refuse it. Lord Hale, whose zeal for the liberty of the subject often exposed

him to the censure of the party in power, laid down that justices ought not to discharge a prisoner accused of felony, unless it should appear either that no felony had been committed, or that the charge did not amount to felony in law. And Mr. Sergeant Hawkins, in his Pleas of the Crown, b. 2, c. 15, s. 1, directed magistrates not to discharge unless they should be satisfied that the accusation was totally unfounded. The statute 1 and 2 Philip and Mary, enacted, that justices should "take the examination of the prisoner, and the information of those who bring him," and certify the result to the Judges of assize—expressions not certainly conveying any idea that the prisoner should have the aid of an advocate. At the period when that act was passed, could an attorney have claimed admission as a right? Then there was no process to summon witnesses for the prisoner; then those witnesses could not be examined on oath, if at all; then their testimony, if taken, could never have been certified at the assizes. If an attorney had no right then, by what statute, by what authority had he acquired it since? There was no statute giving the right or recognizing it, although the attention of the Legislature was called to the subject on several occasions; as, when it was enacted that witnesses should be sworn on behalf of the prisoner, and when provision was made for the examination of witnesses in Scotland. In all the commentaries upon these statutes there was no word on the subject of this right. What was the analogy of the law in other cases? Before a grand jury the prisoner was allowed neither witnesses nor attorney, nor counsel; and why should he be allowed an attorney before magistrates? If the prisoner might insist on employing an attorney, the prosecutor might demand the same privilege, and the result would not on the whole be favourable to the accused, while it would tend to great inconvenience. In many cases, a private examination was necessary; where, for example, the detection of a gang of offenders was expected, and where the presence of a person claiming to act as attorney for one of them in custody would be the means of conveying information which might ensure impunity to the rest. So treason, the highest of offences, might be shielded from discovery by a measure so easily taken. If sometimes a party, who might otherwise be discharged, was remanded from the want of professional assistance, this was only one of those inconveniences to which all men in society must consent to be liable: and this evil, of rare occurrence, would be more than balanced by the prejudice which would arise to the prisoner himself by raising a preliminary examination to a species of trial, the decision of which might seem almost decisive against him. Some consideration, also, was due to the feelings of magistrates, who might be harassed with petty actions through the interference of attorneys watching their proceedings with a captious eye; and thus a class of men would be harassed to whose unbought services the country was deeply indebted. When it was considered how intricate the criminal law was now become, the Court would not expose those who were honestly desirous of fulfilling their duties to the criticism of any practitioners who might desire to observe them; nor thus drive the gentry of the land from an office which it was so desirable that they should continue to fill.

Mr. COMMON SERGEANT, for the plaintiff, said that he trusted he should be able to convince the Court that every man who had the misfortune to be accused, had, by the law of England, a right to the assistance of some skilful person to advise and assist him. As to the old law cited by his learned friend, he should feel ashamed if he could condescend to answer it; he trusted that the mere statement of the monstrous propositions of Dalton had consigned them to reprobation for ever, and that they never would be cited more. To the two later cases quoted, he was inclined to pay all due respect, but these were cases of criminal information, where it is not necessary to the point of law, because the Court would never visit magistrates with punishment for mere illegal conduct, if they had acted with no corrupt or malignant design. When it was considered what tremendous powers were now intrusted to magistrates—how much of misery might be inflicted even by a single magistrate on the oath of a single witness—that there were cases in which penalties of 100l. might be adjudged by magistrates—others in which persons liable to imprisonment might be sent to serve in the navy for five years—and cases under the excise laws in which penalties to the amount of thousands might be inflicted he trusted the Court would pause before they decided that a man, oppressed in his feelings by his situation, should have none to advise or assist him? If a distinction between attorneys and counsel was to be set up, it must be answered, that in distant parts of the country counsel were not to be obtained, and the prisoner must receive the aid of attorneys or be entirely bereft of assistance. He had a right surely, in common justice, to an effectual cross-examination of the witnesses against him; to sift their story, and, out of their own mouths, to prove its falsehood. To the assertion that before the statute of Anne, the witnesses for the prisoner could not be examined on oath he would oppose the high authority of Lord Coke, who spoke of the doctrine with the indignation which it merited, and denied that it ever was the law of England. There was no such thing as secret examination in the sense contended for; witnesses might be questioned apart

for the purpose of detection, but the judicial examination must, by the very statute of Philip and Mary, be taken in the presence of the prisoner. When the Court recollected that the examinations so taken might in cases of death, be read in evidence against the accused on his trial—when they called to mind the distress and ruin to which he might be subjected by a mistaken commitment—when he ought to have received his discharge—when they considered how important it was to his dearest interests that he should have a real and effectual cross-examination of the witnesses; they would, he trusted, determine that, in a season when his own energies might well be paralyzed, he should be entitled to that assistance which in the open courts of justice he might so openly employ.

The LORD CHIEF JUSTICE said, that if he entertained any apprehensions that the opinion he had formed on this question could produce inconvenience in the administration of justice, and especially if it could affect the liberty of the subject, which was the most important end of such administration, he should pause before he expressed it. But, convinced that on an enlarged view of the question, it would appear that no such inconvenience could arise, and that the rights of the subject would be best guarded by his decision he should proceed at once to give judgment. In order to sustain his replication, the plaintiff must be prepared to contend, that every man accused of crime had the right to employ any person skilful in the law, whether an attorney, or not an attorney, to assist him in his defence; for it was no part of the duty of an attorney, as such, to attend with his client; he was properly a person put in the stead of another to act for him, not an assistant to act with him. For such a position there was no foundation by common law or statute, though Magistrates had, in the exercise of their discretion, often permitted counsel and attorneys to attend on behalf of the party accused, and would still no doubt do so, wherever such assistance was fitting and requisite. If the right were granted to the prisoner, it must also be conceded to the prosecutor; who would, in all probability, be more frequently in a situation to avail himself of it; and if allowed before magistrates, it might even with greater reason be insisted on before the Grand Jury. Satisfied, therefore, that no real injury could arise to the subject from denying the claim of right, and that there was no authority to support it, he must pronounce that the replication was bad, and that the defendants were entitled to judgment.

Mr. Justice BAYLEY concurred in the opinion of the Lord Chief Justice. He did not, however, at all ground his decision on the language of Dalton, which he held not to be law; as, beyond all doubt, if a Magistrate were convinced of the innocence of a prisoner, it was his duty to discharge him. On examinations, the Magistrate was the only adviser of the accused recognized by law; to him any questions might be suggested, and he would not fail to put them; and the Court would not presume him either ignorant of his duty or unwilling to perform it.

Mr. Justice HOLROYD and Mr. Justice BENT declared their entire assent to all that had fallen from their learned brothers. The latter Judge, after delivering his opinion, observed, that it would be well if those who thought our constitution had deteriorated in later times, would attend to the great improvement in the law which had been made apparent in the course of the argument on the question. He had no doubt that when Dalton wrote, the positions he had advanced respecting the duty of Magistrates to commit were law; but the more enlightened minds of modern lawyers had rendered them law no longer. He had no doubt, notwithstanding the high authority of Lord Coke, that before the statute of Anne, the witnesses for the accused could not be examined on oath; for that act was both remedial and prospective; and who would not feel that most important security had been given to the subject by that act, and by the statute of William, allowing of full defence in case of treason? He thought the point was really decided in "The King v. Barron," but without the aid of that case he should be clearly of opinion, that no such right as that set up by the plaintiff existed.

Judgment was ordered to be entered for the defendants.

Mr. COMMON SERGEANT moved that two attorneys (whom he did not name) should show cause why they should not be struck off the roll, for suffering an unqualified person to practice in their names; and that the unqualified person should show cause why he should not be committed to the prison of the Court. His affidavits were full and explicit as to the facts necessary to sustain his rule.

The COURT inquired whether the unqualified person had acted in the joint names of both, by the consent of both, and for his own sole benefit?

Mr. COMMON SERGEANT answered in the affirmative.

The COURT granted a rule to show cause.

ASIATIC DEPARTMENT.

—77—

Lord Cochrane.

The greater time and labour necessary for the preparation of Manuscript Copy, obliges us unwillingly to postpone Lord Cochrane's Defence for a day; and we, therefore, think this notice necessary, to anticipate any feeling of disappointment in consequence of its non-appearance, immediately after the statement of the charges preferred against his Lordship.

Funds of the Catholic Church.

To the Editor of the Journal.

SIR,

A PARISHIONER, whose second Letter appeared in this morning's JOURNAL, says, "the Funds of the Church are not private property," and asks,—"Why these Funds are still employed, as they have been for years past, in the maintenance of Ministers who Preach and perform other functions in the Portuguese Language only, &c."

May I, through the same channel, request the PARISHIONER to inform me, how many of these Ministers are actually paid out of these Funds?—how much each of them receives from these Funds?—and for what purpose they are so paid out of these said Funds?

Your's,

May 5, 1823.

M. A. M.

The Reverend Mr. Murphy.

To the Editor of the Journal.

SIR,

I have (being a constant reader of your paper) of course read the several letters, &c. which have appeared therein relative to the Reverend Mr. Murphy; and though I very seldom address the Public through you, I really should consider myself guilty of a very great dereliction of my duty, if I remained silent after reading the letter of that Gentleman, in your Paper of this day.

He says the "Church Wardens" opposed the wishes of the people. I would ask Mr. Murphy to say, what "people" he means, and how, when, and where the Church Wardens opposed their wishes? He goes on by stating, that "a Society was formed, which had for its object the dissemination of religious knowledge amongst such of my communion as are ignorant of the Portuguese language: this plan was also defeated by some whose names I decline to mention." It is evidently not the Wardens that are alluded to; for their names he has mentioned; and no other persons had power to interfere but his Brethren. The interference is therefore evident: and yet Mr. Murphy asks his Brethren and the Wardens, because they did not consider his services desirable to the Church, whether, by declining to receive them and not allowing him "a maintenance suited to the rank a Clergyman is entitled to hold in Society," they do not "draw down on their heads the denunciation of Him who authorised the Apostles to shake off the dust of their feet and proclaim woe unto those who should refuse to hear the glad tidings of salvation." Was there ever such a ridiculous supposition. But if Mr. Murphy thus presumes to attack the Wardens of the Church, those who have spent fortunes for its erection and support, and who have borne the burden and heat of the day, and whose veteran years proclaim they are hastening to the bosom of a Saviour to enjoy the fruits of their labours; if he thus, I say, dare openly to cast mire upon the sacred vestments by such insinuations, the *Infallible Church* (to use his own words) has lost nothing by dispensing with the services of so fallible a member.

The Wardens would have been happy to have supported Mr. Murphy in the manner he wished, if they had not conceived it an unnecessary burden to the Church; and if the Divine now acting as the head of the Spiritual Affairs thereof, did not approve of Mr. Murphy's manner of "disseminating religious knowledge," can any person blame him if he refused the use of the Church for such a purpose?

Before I conclude, I would presume to advise Mr. Murphy not to hold up the Officers of the Church and his Brethren to the derision of the multitude, but if he be smitten on the one cheek, to turn the other also; so shall he heap coals of fire upon the heads of his enemies.

Your's, &c.

Calcutta, May 2, 1823.

B—

Honesty or Dishonesty.

To the Editor of the Journal.

SIR,

Pray oblige me by inserting the following query:—

Is a man an honest and a fit person to associate with, if he gives *Burrah Khannas* and Dashing Parties, when he is over-head and ears in Debt?

I had a long argument upon it some short time ago with a friend of mine, who said he was invited to a very dashing entertainment, but would not go, because the man who gave it sported with other people's money; and my friend finished his remark by saying, such a man is equally "as culpable as the highwayman who stops you on the road and demands your money." This, said I, is severe: and there our discourse ended. Now, pray give me some hints upon the business; for I wish much to see the point discussed, before I make up my mind upon the subject, as you know, Mr. Editor, the force of example is very great.

Calcutta, April 26, 1823.

CIVIS.

Topics of Conversation.

Tres mihi convivæ propè dissentire videntur,
Poscentes vario multum diversa palato.—Hor.

To the Editor of the Journal.

SIR,

I am now approaching that time of life, when education formerly confined to the study of books, begins to extend itself to the study of men. Having lately arrived in this "far-famed City," I was anxious to be introduced into good company of every rank and denomination; and in virtue of some letters and family connections, assisted by the kindness of some college friends and acquaintances, I flattered myself I should succeed in my purpose.

My strong bent for letters, induced me first to procure an introduction to the good company of the learned: and I went to a dinner, where several of the literati were to be assembled, full of the hopes of having my mind enlightened with knowledge, expanded with sentiment and charmed with the atticisms of elegant conversation.

During our meal, there was a more absolute suspension of discourse than I had expected in a society of spirits so refined as those with whom I was associated. The ordinary functions of eating and drinking made no part of my idea of a learned man; and I could observe in my fellow guests, an attention to the dishes before them which I thought did not quite correspond with the dignity of that character. This, however, was but a small deviation from my picture, and I passed it over, in expectation of that mental feast I should enjoy when the table was uncovered.

Accordingly, when the cloth was removed, the conversation which I had expected with so much impatience, began. I had too humble an opinion of myself to take any part in it, and remained therefore, a hearer; but I very soon discovered that I was the only person who had an inclination to listen. Every one seemed impatient of his neighbour's speech, and anxious for an opportunity of introducing his own. Conversation has often been compared to a favorite dish at an entertainment; here it was carried on like a dinner of hungry men at an ordinary where all is scramble, noise, and confusion; in a short time, every one except your Correspondent endeavoured to secure it, to himself by making it a dish, which nobody else could taste. An old gentleman at the head of the table, introduced a *German Treatise*, written by a man, whose name I could neither pronounce

or remember, which none of the rest of the company had seen. Another, taking advantage of a fit of coughing, with which he was seized, brought us into a philosophical discourse upon the properties of heat, and gave us a long account of some experiments he had lately made. The interruption of being called on for his talent, afforded an opportunity for another to entertain us, with a description of *Thibet*, and he appeared intimately acquainted with *Delai Lama*. Another, who, by dint of vociferation, had brought himself into notice, disputed at length "Parry's Arctic Voyage;" and his accidentally having alluded to a particular mode which the Esquimaux have of dressing fish, again, gave room for the introduction of the present state of Cookery.—This naturally led to the goodness of the wines, beer, &c. and these latter topics were discussed with so much eagerness, that a stranger would certainly have mistaken this renowned meeting of *literati* for one of *Buikers* and *Cooks* assembled for the purpose of discussing their respective callings.

Presidency.

Your's very truly,

CRITO

Memoranda of a Voyage on the Ganges.

"November 7.—We this-day finished our navigation of the Bhagge-ratty, and fairly committed our budgetow to the protecting genius of the "hallowed" stream. We had a slight view of the Ganges on the 5th, but its appearance then (as now) by no means corresponded with the high expectations we had formed, from the description given of this most sacred of Hindu rivers. The breadth at the point of entrance appears about four or five miles; and so great a body of waters should make a strong impression on the spectator, who has been accustomed to gaze on the comparative puny dimensions of the Tay, and the Thames, or the dependent branch of the Hooghly. It looks more like an extensive standing pool, than a vast collection of moving waters. To this the great meanness of the stream as well as the general flatness of the country, must contribute; and the dull broken-down bank does any thing, but inspire one with a feeling of sublimity, to counteract the effect of these degrading circumstances. At one or two points of the view, however, a very agreeable relief is afforded by the addition of some lofty trees, which, towering above the others, with variously figured summits, take away from the uniformity, and yield an object for the wearied eye to repose on. These trees are situated on the opposite, or left bank of the river, and present much the same appearance, as is seen in English prospects:—a considerable distance intervening between each parcel, and the horizon only bounding the view in the interval. What gives the greatest charm to the new course, and adds a spirit to our dull energies, hitherto in tone with the unromantic scenery, is the appearance in the distance of the Rajmahal Hills. These we first observed yesterday, like dark clouds, rising from the horizon; but they are now distinctly visible, running from W. to E. and apparently crossing the course of the river, as it now flows. From the appearance which they make, their general elevation cannot be great.

"The country is become much more barren, and destitute of trees, since we left the village of Sooty; and that, which now lays before us, might serve, I think to give the traveller a faint idea, of what he would meet with, in the deserts of Arabia, or the parched plains in the interior of Africa. We complained on the Hooghly of the trees presenting sameness of scenery, and hailed with pleasure every opening in the wood, that gave us a view of the fields, and pasture grounds; but now we strain our eyes to no purpose for these interesting objects, and long earnestly again for the deep umbrage, which surrounds the Indian village. The soil of this bare district is extremely sandy, possessing hardly any tenacity; and the herbage which it yields, is scanty and impoverished: yet even with this wretched pabulum, the natives contrive to subsist their cattle, which appear in as good condition, and not less numerous, than in the others, which we passed. This village, the first we have seen on the banks of the great river, looks the picture of an Arab, or Tartar Kraml, from the general barrenness around it; but the houses are even more substantially built, and with a greater attention to comfort, than they are lower down the country; most of them have a low wattled enclosure, surrounding the hut, which serves at the same time as an ornament, and a veil to conceal the inhabitant from the prying eye of his neighbour. Before leaving the more cultivated country this morning, I had an opportunity of observing the Indian mode of rolling the ground, which exhibits in deficiency of better materials, a tolerable application of expedient. Stones, it must be remembered, are not to be found in Bengal, at least in this part of it; and iron from its scarcity is too dear, to come within the reach of a poor Indian cultivator, whose whole wealth consist, perhaps, in a yoke of oxen, and a few cows and goats. Solid timber, fit for such purpose too, is nor, I imagine, the growth of the district. To supply the deficiency, then, one would think a considerable exertion of inge-

nuitly requisite; yet nothing can be more simple, and it may be said obvious than that which the natives have adopted. It consists merely of a board two or three feet broad, (or several pieces joined so as to make that breadth,) connected in the centre with a projecting beam which being fastened by means of a cross-piece to the oxen, in the manner of the plough, one, two or more persons, according to the team employed, place themselves on the board, each grasping an ox's tail, with his left hand, and holding firmly by it, so as to preserve his balance—the animals are then pushed on with the right, while the weight of the men's bodies, as they are dragged along, breaks the clods, presses down the earth, and fixes the seed in the ground, as efficiently as could be done, by the most perfect and ponderous European roller.

"The boats anchored last night, not many hundred yards from the point of entrance into the Ganges, where the stream was not so powerful, as we had experienced it to be, on turning the angle, formed by the junction of the rivers. Notwithstanding the rapidity of the current, and the less coherence of the soil forming the bank, we seldom observed the earth giving way in the manner that it did in the Hooghly, under the same circumstances; but from the rifts in the foot-path, and fragments of the bank, that lay prostrate at the water's edge, it is evident, that the same change is going on here, as in the course of the dependent branch. During the tracking of the boats, we landed as usual in the morning, and rambled over the country. We passed one or two villages, whose appearance was as inviting, and indicated fully as much comfort, as in those placed in more favorable situations. One with some trees adjoining to it was particularly pleasing in effect; and many of the huts not only displayed great neatness in their exterior, but bore marks of a certain portion of taste in their possessor. For the first time since leaving Calcutta, I saw here an enclosed piece of ground, forming a flower garden, as an appendage to one of the humble clay edifices, which contributed not a little to enliven the scene. I could perceive in this village also more attention paid to the cattle: comfortable sheds with enclosures, similar to those which surrounded the houses, being appropriated for their reception, and apparently kept so clean, as to impress one with a favourable idea of the inhabitants. What seemed rather extraordinary, last night was passed without our being disturbed by, or even hearing the cry of a Jackall. These animals, which infest the villages and towns, and prow from sunset to sunrise on the river bank in quest of a scanty pittance, cannot subsist themselves in a country, where the thin population furnishes no superfluity of food, and the absence of jungle leaves them no place of shelter, to retire to during the day.

"After tracking along the banks of the Great River for a few miles, our whole suite struck off into a bye channel, which winds round an island of considerable size. This new course deprived us of the pleasure of surveying the opposite bank of the Ganges, whose scenery presented the only view, that was at all agreeable in the country around; and we had nothing in return, but a bare sandy beach, with a tuft of rushes here and there, which served as the haunt of alligators. As we were sailing slowly along the right bank after dinner, one of the servants came and informed us, that an alligator was seen laying on the opposite shore; and on reaching the top of the bank we beheld the monster, whose appearance realized all the expectations we had formed of his size and ferocity. He was laying on the bank, with his head close to the water, and the jaws wide open, as if in wait for his prey. The hinder part of the body was more elevated than the head, from the ascent of the bank, and somewhat curved towards the left, making an attitude of great apparent attention. He remained quite motionless, for a long time, and we could distinctly see, with the assistance of a glass, the colour of his body, which was a dark leaden hue, and the enormous array of fangs displayed in both jaws. The longest of these appeared at least two or three inches, and the smaller ones seemed to make up in numbers, what they wanted in size. His greatest length might have been about 15 feet. Some boats, which passed on that side very close to him, did not in the least disturb him; and we could see his body, as long as the light enabled us, appearing exactly as described like a bare trunk of a tree, or a low mud wall on the beach. With the spectacle of this leviathan of the river closed our day's voyage; and we soon afterwards came to for the night on the same island, in which we had seen the alligator. At the point of anchorage, great numbers of a large kind of swallow were flying about over our head, enjoying the cool of the twilight, and indulging their appetite with those myriads of the insect tribe, which never fail, when the sun goes down, to issue from the grass to the great annoyance of the traveller. The inconvenience experienced from insects has increased very much, since we came into the Great River. The shade surrounding the candle had hitherto protected it, from these troublesome intruders; and by sitting at a short distance from the table, we could always obviate any personal inconvenience from their presence: but now a host of ill-savoured winged bugs fly into the budgetow, the moment the candles are lighted, and offend our olfactories in a degree, that is quite intolerable. The insect, which emits this disgusting odour, is about the size, when stripped of its wings, of a common bug, and resembles it so much in color and appearance as to be generally known, by the name of the flying bug. Its color is a deep reddish brown (werner),

the head small, with very diminutive black eyes—six legs—the first pair, consisting of two large joints and a small one, (doubtful) and armed at the extremity with a stiff black incurved claw—this pair is the shortest, the middle consists of two joints, terminating in a hairy extremity, the hinder pair terminate with a club, (PARVA compouner magnis) like the pair of an Elephant! and to the inner side of the extremity of each pair, is attached a delicate bristlewings, two complete—other two externally are only half membranaceous, the upper half is of the same nature as the elytrum, which is situated in the middle and protects the wings; these are very delicate and thin; on each side of the mouth there is a feeler of the necklace form, (monelator) and a pointed proboscis protrudes from the mouth; the neck white, and under it at the top of the thorax are placed two small white points. So much for the description of this insect, which owes its interest not to any good, but to the disagreeable qualities it is gifted with. It would be curious to trace the purpose, which such a property of emitting an offensive smell, serves in the economy of this diminutive creature; for doubtless, like that of sending forth light possessed by the firefly, so frequent and object of admiration in India, it must in some way or other contribute either to the preservation of the individual, or of the species.

—Oriental Magazine.

Selections

Madras, April 22, 1833.—We have heard nothing more of the free traders ELIZA and OGLE CASTLE. From the protracted arrival of all our Ships this year, the correspondence with the Mother Country is at least ten weeks in arrear.

Madras, April 15, 1833.—The Ships CARRON and BOMBAY MERCHANT have come in since our last from Bombay.

Passengers per Bombay Merchant.—Captain Michell, C. S. Mr. Fawcett, Mr. Aldridge, and Mr. Garaple.

Captain Carns spoke in Lat. 6° 00' North and Long 82° 00' East the Ship SAMARANG, with his Majesty's late Brig CURLEW in company, from Bombay, bound to China—Cargoes Opium.

The AGINCOURT will positively be despatched about the end of the Month.

St. George's Day.—To-morrow is the anniversary of the Birth of England's Tutelary Saint, and is also the day appointed by Royal Ordinance for the celebration of the King's Natal day. The day will be observed accordingly with every token of loyalty, and the usual public demonstrations of respect. A grand Ball will be given at the Banqueting Room of the Government House in the evening to which the principal part of the Settlement is invited.

Theatre Pantheon.—We regretted to observe a very thin House on Friday evening—the Boxes were not half full, and we should imagine the audience did not consist of more than one hundred and fifty persons. A splendid Natch, given to a numerous party of our fair Countrywomen at the house of a wealthy native, we believe to have occasioned this disappointment to our *Corps Dramatique*; and as we heard many remarks in the course of the evening upon the want of consideration manifested towards them by the Theatrical night having been fixed upon for this Indian Party, it is right and fair to mention publicly that the invitations were originally issued for the Natch when the Play was announced for performance on Tuesday the 15th, and that it was not until some time afterwards that the evening of performance was changed to the 18th current—so that if there were any interference of one Party with the other, it must be charged upon the *Players* and not on the *Natchers*. Be this as it may, however, we regret that a more numerous portion of the Society of the Plain did not grace the Theatre on Friday evening to mark the public feeling on the very liberal reduction made by the Managers in the arrangement for the admission of all the Ladies of a family with one ticket. The next representation we trust will be more successful, and make up for the disappointment of Friday.

In respect to the performance, we are sorry we cannot commend it so warmly and generally as usual. We know not whether it is that farces are not adapted to the genius of the Mount Company but it is certain they have never attempted this peculiar species of representations without meeting with a partial failure. Perhaps two better Farces could not have been selected, than "RAISING THE WIND" and "THE CITIZEN"—Yet they went off tamely and without interest, and excited little of that ungovernable laughter which never fails to convulse a London audience at the performance of these amusing and witty productions. This may chiefly be attributed to the liberties taken with the dialogue, for some of the acting was certainly very respectable. Not a syllable of the first Farce ought to have been lost. Perhaps no piece ever met with more extraordinary success than RAISING THE WIND; but it was chiefly indebted for it to the excellence of the actor, for whom the principal part was written—But where shall we now meet with a "JEREMY DIDDLEY," equal to him who first introduced this whimsical character to the world—Many of our readers must have seen the inimitable performer to whom we allude, and those who have not will easily

appreciate, his merits when we remind them that the Farce had a run of fifty-six successive nights to crowded Houses. A criticism on this Farce therefore would be superfluous at this time of day. We may mention briefly, however, that the DIDDLEY of Friday was by far the best character of the piece, and that he maintained it with considerable spirit and humour. He was particularly good in the breakfast scene, and received loud plaudits. His dress and general appearance were good, and strictly in keeping with the character.

Sam was very amusing, and well supported his friend "Diddley." There is always a great deal of broad natural humour in the acting of this performer, but there is too much sameness in his manner and style. His Tyke is decidedly the best attempt he has yet made, and we should like again to see him in a character of that cast. Nothing could be more striking than the uniform sameness of his manner, speech, and action, in the very opposite characters of Sam in "RAISING THE WIND," and Sir Jasper Wilding in "THE CITIZEN." With the great comic powers of this actor, he will easily remedy this defect, which we are persuaded only requires to be pointed out to him. In the course of his representation of "Sam" he very happily introduced his amusing dialogue with "Betty" which he recited with his characteristic humour and simplicity.

Mrs. Gilbert made as much of "Peggy Plainway" as the part would admit of; and "Miss Laurelia Durable" was admirably burlesqued by Gilbert. She convulsed the House with laughter. The fainting exhibition was the finest thing we have seen for a long time. The rest of the characters did their best, but "Fainwood" ought to have been in other hands.

In "the Citizen" it was apparent that the pruning knife had been unsparingly used. On the score of delicacy this was very proper in some Scenes, but the performers ought to have remembered every syllable of what was allowed to remain. Even with this drawback, however, young "Philpot" and "Maria" were admirably enacted. Mrs. Ewart sustained the latter part, as she does every character that she undertakes, with uncommon archness and vivacity. She is too always the lady and in the most boisterous and hoyden parts never loses sight of feminine grace and elegance. Nothing was ever finer on these boards than her acting with her two lovers YOUNG PHILPOT and BEAUFORT. The whole of her performance was rapturously and deservedly applauded—This excellent actress has now nothing to do but to maintain the exalted place she has attained in public estimation—She is decidedly the favourite of the Company "OLD PHILPOT" was admirably dressed, but we cannot in justice say much more of him. The discovery scene was excellently managed by all concerned, and created much mirth.

The rest of the Dramatis Personae did all they could for their respective parts. The Curtain fell at a little before 11 amidst considerable applause. We hope the Managers will favour the Public with another performance at an early period.

Supreme Court.—The Second Sessions of OYER and TERMINER and GENERAL GOAL DELIVERY commenced yesterday before the CHIEF JUSTICE SIR EDMUND STANLEY and Mr. JUSTICE GREY.

The following Gentlemen were sworn to serve on the Grand Jury.

FRANCIS FAUQUIER—Foreman.

Francis A. Robson,
George Moore,
George John Hadew,
Eneas R. McDonell,
Richard Clarke,
John Gwatkin,
Solomon Nicholls,
James L. Grant,
A. J. Drummond,
William Hudleston,

J. A. Dalzell,
William R. Taylor,
Anthony E. Augells,
John P. Thomas,
C. A. Thompson,
Daniel Elliott,
Robert John Hunter,
Edward Dent,
John Hart Jollie, and
T. S. Fanning. Esqrs.

The Charge to the Jury was given by the Chief Justice with this usual ability—we regret it concluded too late in the day to admit of our giving any report or even outline of it to-day.

The following is a copy of the Calendar.

Veraswamy and Baulamah, of Madras, Labourers. Veraswamy charged with feloniously and burglariously breaking, and entering the dwelling house of one Conatore Cullaty and feloniously stealing thereout sundry articles of the value of thirty six Pagodas, the property of Aroonacholom, and Baulamah charged with being accessory to the said felony.

Monitches of Madras, Labourer. Charged with feloniously stealing sundry Jewels of the value of one hundred and twenty Pagodas, thirty-seven Fathoms and fifteen Cash, the Property of one Mition saul.

Varpes of Madra, Labourer. Charged with feloniously stealing sundry Jewels and one Dovetty of the value of seven Pagodas, eleven Fathoms and twenty Cash, the property of one Arroolappon.

Scobber a Widow. Charged with a Misdemeanor in having clandestinely taken away a female child of the age of twelve months.

Thomas Ball, a Private in H. M. 54th Regiment. Charged with the Murder of Patrick Courcy at Bangalore.

Narasos of Madras, Labourer. Charged with feloniously stealing eight hundred and sixty Pagodas, the property of one Jyahasamy Moodally.

Arrenachellum, and Kempah, of Madras, Labourers. Charged with feloniously stealing sundry Jewels of the value of six thousand seven hundred and ninety-seven Pagodas and forty three Fanams, the property of one Munapaukum Kundappah Moodoolly.

Robert Thomas Moore, and Cypriano Rodrigues, of Madras, Labourers. Charged with Forgery.

Joseph Yunningham, of Madras, Labourer. Charged with Forgery.

Lutchomunnen of Madras, Labourer. Charged with feloniously stealing sundry articles of the value of six Pagodas, thirty one Fanams and forty Cash, the property of one Mootosawmy Naik.

Michael Gallagher, Private in the Madras European Regiment. Charged with maliciously shooting at one Thomas Cowley.

Thomas Barnes. Charged with the Wilful Murder of one Thomas Lively, on the High-Seas on board the Ship **WOODFORD**, on the 31st March 1823.

Sabbaputty, of Madras, Labourer. Charged with burglariously and feloniously breaking and entering the dwelling house of Beemannah Moodoolly, and stealing thereout sundry articles of the value of three hundred and ten Pagodas, eighteen Fanams, and seventy Cash, the property of one Arrenachellum Moodoolly.

Soben, Nymane, Kurree Kishmen and Allamalle, of Madras, Labourers. Charged with feloniously and burglariously breaking and entering the dwelling house of Valoydah Chetty and stealing thereout sundry articles, of the value of nine hundred and fifty one Rupees, ten Fanams and six Cash, the property of one Condappah Chetty.

The Bill against **Thomas Barnes**, a seaman belonging to the Ship **WOODFORD**, for the murder of **THOMAS LIVELY**, also a seamen on board the same Ship, was found by the Grand Jury. He was acquitted. — *Madras Courier*.

Calcutta.—About eight o'clock on Thursday night, we had a most delightful north-wester. Neither the wind, thunder or lightning were so strong as is generally the case, after so long an interval as has lately occurred,—but the rain fell in torrents; and has had the effect of cooling the air very considerably—and what is at least equally pleasing and grateful, it has effectually laid the dust for a day. On this latter subject we shortly purpose making some observations, with the view of calling public attention to the ill effects, as to health, comfort and expence, of the roads not being regularly watered, on some public and systematic plan. For the present, we shall only say that the clouds of dust, which during the S. W. Monsoon sometimes almost obscure Calcutta, are not exactly consistent with the character for luxurious enjoyment, which, with how much truth we will not venture to say, the inhabitants of this City are charged withal.

Cawnpore, 16th April, 1823.—His Majesty's 16th Lancers have not yet arrived, but are expected in a few days. The hot winds have prevailed for some days. The Thermometer rising to 102, in the hottest part of the day, in a northern veranda. The 69th are rather sickly: the Station is, otherwise, healthy.

Fattyghur, 17th April, 1823.—This Station is excessively hot, and disagreeable from dust, but healthy.

Barrelly, 18th April, 1823.—This Station is very healthy.

Muradabad, 20th April, 1823.—This delightful Station is very healthy, at present. The Thermometer only rising to 82 in the hottest part of the day, in the shade. — *John Bull*.

Medical Report.—Second week in April.—The increased heat of the atmosphere during the last week has been rapid and remarkable, the average having arisen to 93 being 17 degrees above that of the week preceding, when it was 75°. This sudden increase has been severely felt.

The general average of disease has also increased, but not in the same ratio, the heat not having been accompanied by moisture. *Fer. brile* attacks with a determination to the *Bowels* have chiefly prevailed. Females and Children have suffered more than during the preceding week. — *Durhamtollah*, April 19, 1823.

Medical Report. Third week in April.—The heat of the atmosphere continues to increase, and the average ratio is now 95, three degrees above that of the preceding week. On the 19th, when the Thermometer was 105° in the shade, it was 144° in the sun. The scale of this Thermometer was a metal one, a circumstance* which I believe influences much. Much wind has prevailed as usual at this this season; but the absence of rain, has allowed the season to afford its usual portion of good health. Very little disease has prevailed, and that little chiefly arising from neglect on the part of the individual, by imprudent exposure to heat, currents of air, or neglect of temperance. — *Hurkaru*.

Durhamtollah, April 25, 1823.

Shipping Arrivals.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
May	5 Sherburne	British	G. White	Moscat	Mar. 12
	5 George	British	J. Poulson	Madras	Apr. 24

MADRAS.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
April	17 Bark George	British	J. Poulson	Pondichery	April 16
	17 Hercules	British	J. Heron	Covelong	April 16
	18 Caledonia	British	R. Carns	V. D. Land	Feb. 15

Shipping Departures.

MADRAS.

Date	Names of Vessels	Flags	Commanders	Destination
April	15 Hammidohab	British	J. Parves	Chittagong
	15 Sherburne	British	G. White	Calcutta
	17 Hercules	British	J. Heron	Calcutta
	17 Ajax	British	W. Gillett	Calcutta

Stations of Vessels in the River.

CALCUTTA, MAY 4, 1823.

At *Diamond Harbour*.—CLYDEDALE, and EXMOUTH, onward-bound, remains,—SHERBURN, inward-bound, remains,—GEORGE (back), passed up.

Kedgerree.—PORTSEA, onward-bound, remains.

New Anchorage.—H. C. S. ROYAL GEORGE.

Saugor.—THETIS, below Saugor, onward-bound, remains.

The **WOODFORD**, arrived off Chandpaul Ghant on Saturday last, and the **JULIANA**, arrived off the Salt Golahs on the same day.

Marriage.

On the 26th ultimo, at the Roman Catholic Church, Mr. H. C. CAVENDISH, to Miss D'SANTO.

Births.

At Arrah, on the 26th ultimo, the Lady of Lieutenant WILLIAM LAMBERT, Esq. of the Civil Service, of a Daughter.

On the 29th ultimo, Mrs. M. LOCKEN, of a Son.

At Saharunpore, on the 19th ultimo, the Lady of C. B. FRANCIS, Esq. Assistant Surgeon, of a Daughter.

At Madras, on the 5th ultimo, the Lady of Quarter Master W. BARFOOT, of His Majesty's 46th Regiment, of a Son.

At Colombo, on the 23th of March, the Wife of Mr. CAREL WILLIAM HOFFMAN, of a Son.

Deaths.

On the 5th instant, DAVID, the infant Son of DAVID STAIG, Esq. aged 6 months.

On the 4th instant, on board the EXMOUTH, at Diamond Harbour, Lieutenant Colonel W. ELLIOTT, of the 4th Regiment of Light Cavalry.

On the 4th instant, aged 28 years, Mr. A. HEUGH, Coach Maker, Cossitollah, Son of the late JOHN HEUGH, Esq. of Garscube, Falkirk, Stirlingshire.

On the 3d instant, to the deep sorrow of parents and friends, the second infant Daughter of C. A. CAVORKE, Esq. she died of convulsive fits, the same afflicting malady which had but a few months before bereaved him of his first child. "Suffer little Children to come unto me, and forbid them not: for of such, is the kingdom of God."

At the Presidency, on the 30th ultimo, the infant Son of Lieutenant J. R. TALBOT, 1st Battalion 25th Regiment of Native Infantry, aged 9 months and 20 days.

At Macao, on the 23d February, after an illness of only 24 hours, JANE, the Wife of Captain THOMAS HOWARD, of the Ship JANET HUTTON, belonging to this Port, aged 22 years.

Erratum.

In yesterday's JOURNAL, under the head "ANTIQUITY OF SUSPENSION BRIDGE," page 61, column 2, line 13, for "volation," read violence.